Pilgaon

Prior references

No. 6

1907-08
1908-09

Serial Nos.

(Amrai)

Later references.

See 272-27-14 May 20th File 620 & 190

113-1-1
136-99-1.5 (Rev. D. 3) 1-2.

GENERAL AND REVENUE SECRETARIAT

1-32(73.95, 1869)
14-33-1/4 & 67

357-41. 1-3.
Mar 30 42 (15) B. May 47

Serial Nos. 1 & 2 and previous papers

Part B. for Dec 1901

SUBJECT.

Rights of the New and the old Finigere Mauzas in the Chittagong District to use certain insignia

Crown Lands Order No. 101-10 dated the 29th October 1901

Passes orders, clearly defining the rights of the respective Mauzas in the above matter

MUZRAI SECRETARIAT.

OFFICE NOTE.

File No.

SUBJECT.

The Sirigere Matts case.

From

The Deputy Commissioner, Chitaldrug Dt.

Letter No. 418 Dated 7th March 1907.

This case which simply relates to the request made by the New Lingayet Sirigere Matt Chitaldrug for the confirmation to it of certain Birudus or paraphernalia, has become greatly compli-cated by the objections brought forward by vario other Lingayet Matts and the side issues raised them.

The new Sirigere Matt came into existence in the year 1887 owing to some of the disciples of the old Sirigere Matt having seceded from

File No. of Muzz

GPB—2 000—13-2-05

Muzrai Secretariat | File No. of 190

the latter. Soon after the establishment of this new Matt, its disciples applied to the local authorities for permission to the new Matt Guru using - certain insignias while proceeding to the houses of his disciples. The old Sirigere Matt having objected to the grant of such permission, the late Mr. G. Raghunatha Rao, ~~the then~~ Sub Division Officer and 1st class Magistrate, after enquiring into the matter granted permission to the new Matt Guru proceeding on horse back with music (Baja Bhajantri), which could be used by any private individual, on the ground that the Matt being quite new had not possessed any insignia before.

Mis A. (2.4 : II)

3 In April 1887 the followers of the new Matt solicited permission to use mena (covered palanquin) and Kempu Chattri along with music when they took their Guru in procession. The then Amildar Mr. Narayana Iyengar having recommended the use of these as he considered that they were ordinarily used by all the ~~then~~ Deputy Commissioner granted -

S. Order No. 496, ted 12th May 1887.

File No. of 190 Muzrai Secretariat

MGCPB—2,500—1-8-05.

permission to do so if they were ordinarily used by people and if it was mamul for the new Matt to use them. Thereupon the Guru of the old Matt ---- brought a suit in the Munsiff's Court at Chital-drug for an injunction against the Guru of the new Matt interfering with his disciples and property and for the new Guru not using his (old Matt's) insignia. The new Matt guru having stated that he did not make use of any of the old Matt's insignia a decree was passed in accordance with the Razi-nma put in by the parties wherein, among other --- things, it was provided that the Guru of the new Matt should not use the special insignia of the old Matt. What were considered to be the special insignia and what were ordinary insignia were not clearly indicated in the Decree.

4 In 1888 the new Matt Guru having ap-plied for permission to use Chamara and Affabariri, objections were raised by the old Matt stating -- that in accordance with the declaration made in

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Page ( )

uz. 8A]

Muzrai Secretariat.	File No. of 190

the decree of the Judicial Assistant Commissioner in 1873, the insignias in question belonged to him. The Amildar solicited orders, and the Sub -- Division Officer and 1st class Magistrate referred the Amildar to the orders already passed by him, which was to the effect that the new Matt was entitled to go in procession without insignias in the same manner as any ordinary priest does on festive occasions to his disciples' houses. Again, in August 1888, permission was solicited to the new Matt Guru proceeding on a tour with certain insignias, and the Amildar having solicited orders on the matter, the same Sub Division Officer and 1st class Magistrate ordered that Mena, Kempu Chattri and kale may be used by the new Guru as they were not --- special insignias, and he also authorized the Amildar to allow the use of Chamara and Aftagiri as well if from enquiry he thought that such permission might be granted. Thereupon the Guru of the old Matt put in an application before the Munsiff of

File No.	of 190	Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

Chitaldrug praying that the special insignias -- which are not to be used by the Guru of the new -Matt may be specified but this application was subsequently withdrawn.

O, (27.10.I)

5 It would seem therefore that the Birudus permitted to the new Matt by the local authorities at the end of 1888 were Hena, Kempuchatta, Kale and Baja Bhajantri in accordance with Mr. Raghunatha Rao's order dated 23rd August 1888.

O (- do)

It is reported that these insignia were used by the new Matt in the same year for going to Holal -kere and Channagiri. In 1893 the new Matt Guru appears to have gone to Davangere. There is ---- nothing in the records to show anything of the movements of the new Swami between the years 1893 and 1905. It may be presumed, I think, that the -- Guru did not leave his head quarters during that period, but remained there in the quite enjoyment of the Birudus above named, using them merely for going to the houses of his disciples and probably

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

for Vijayadasami processions also. In the year 1905, the disciples of the old Sirigere Matt had to instal a successor to the Guru who had died, and at the same time the Guru of the new Matt -- also wanted to appoint a Charanti Swami to his Matt. Licenses were asked for by both the parties for the needful processions in this behalf, but the old Matt opposed the petition of the new Matt being authorized to use Kempuchattri and Mena. Notwithstanding the objection raised, the Deputy Commissioner, Mr. H. Ramanuja Iyengar, directed in his order dated 29th September 1905 the grant of a license to the new Matt allowing it to use Mena Kempuchattri, Kale, Sammela and music as he found that those Birudus had been previously allowed to this Matt by the local authorities. Soon afterwards, however, after hearing a Review application put in by the old Matt, the same Deputy Commissioner on the 21st February 1906 set aside his first order which authorized the grant of a license

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

to the new Matt, and directed that Matt to establish its right to the insignia claimed in a --- Civil Court . He gave it as his chief reason for changing his first order that the Chief Court had ruled in the 2nd appeal No. 60 of 1898-99 that none of the old Matt's disciples or servants or members of a lower caste should assume any of the insignia used by that (old) Matt.

6 The new Matt thereupon presented a Criminal Revision Petition to the Chief Court for the cancellation of the District Magistrates 2nd order ~~on the Revision petition.~~ above referred to. The Chief Cour in their order passed on 18th July 1906 observed that the new Matt based their contention on the Decree passed ~~on Razinama of~~ by the Munsiff in Razinama 1887, but that that Razinama not having defined the ordinary insignia to which the new Matt was entitled, no effect -- could be given to the decree, and that therefore they saw no reason to interfere with the Magistrate's order referring the new Matt to a Civil

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05

Muzrai Secretariat. | File No. of 190

Court, For these reasons Messrs H.V. Nanjundayya and P.S. Krishna Rao, Judges of the Chief Court, dismissed the petition.

7. The new Sirigere Matt has now petitioned Govt for cancellation of the District Magistrate's 2nd order as illegal and unjust and, that the order has deprived the Guru of the honors he was enjoying for a period of about 20 years and has also lowered the prestige of the Matt in the eyes of the large number of its disciples. He therefore prays that that order may be set aside and that Govt may be pleased to allow him to make use of the marginally noted 5 insignia in addition to those he has been already using and referred to in para 4 above.

Slip X (Z. 7. No I)

1. Karnataka Palakki
2. Aftagiri.
3. Gaggarakattige.
4. Chamara.
and 5 Nagari.

(16-3-1907)

8 The Sirigere old Matt has counter-petitioned stating that the claim of the Sirigere new Matt to any of the insignia referred to above should not be recognised by Govt on the following grounds:-

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05

Page ( )

[z. 8A]

Muzrai Secretariat. | File No. of 190

(1) That the Sirigere new Matt having appealed in the Chief Court against the Deputy Commissioner's 2nd order, and failed in it, it could not appeal to Govt in the Muzrai Department ---- against the same order of the Deputy Commissioner,

(2) That the Sirigere new Matt is not a Matt properly so called as its adherents who are only a few in number, are composed of persons who have been excommunicated by the Sirigere old Matt,

(3) That though the 1st class Magistrate Mr. Raghunatha Rao did not originally authorize the Sirigere new Matt Swami to use any insignia yet ~~his second order was quite wrong as it assumed~~ he passed a second Order contradicting the first, assuming that some of the insignia in question were not -- honors but mere ordinary appendages which were --- usually made use of during marriage occasions &c.

(4) That such insignia are expressly declared by the Chief Court in their judgment in 2nd - appeal No. 60 of 1898-99 as badges of honors due to the Guru of the Sirigere old Matt as being the

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05

Muzrai Secretariat. | File No. of 190

religious head of the Sadhu Lingayet community and that therefore the Guru of the Sirigere new Matt who have not established ~~their~~ his right to use the -- said insignia cannot be held to have a claim thereto,

and (5) that the Sirigere new Matt is only of recent origin and has no mamool in support of it for using these insignia // 9. Subsequently, the disciples of the Murugi and the Balehalli Matts ~~have~~ also -- presented ~~a~~ counterpetitions stating that neither the Sirigere old Matt nor the Sirigere new Matt, can lay claim to the 8 insignia in question, on the following grounds:-

Para 9.

sd/- K
5742 dt 13 th May 1907
(Translation) TC

(1) that the Murgi, Balahalli, Ujjani and Parvata Matts are the only original genuine Matts of the Veera Saiva community and the rest ~~of them~~ are --- spurious.

(2) that the Sirigere old Matt has wrongly appropriated to itself the names of Ujjani Saddhama --- Simha as that name is peculiar only to the ~~Uggani~~ Ujjani

Sanskrit

File No. of 190 Muzrai Secretariat.

MGCPB—2,500—1-8-05

Muzrai Secretariat. | File No. of 190

Matt and to no other.

(3) that the Sirigere old Matt is only a seceder from the Murgi Matt and it cannot therefore be considered to have an independent entity of its own, and that this reason applies equally to the Sirigere new Matt as this last has branched off from the Sirigere old Matt.

(4) that it is only the Murgi and Balehalli &c Matts that have royal grants of insignia and that neither the Sirigere old Matt nor the Sirigere new Matt has any such grant of the insignia claimed by them.

(5) that the grant of insignia is the sole prerogative of the Sovereign of the land, and any use of them without such grant is unauthorized and illegal.

(6) that the establishment of the Sirigere old Matt itself is illegal, in the face of the nirup - of H. H. the late Maharaja Krishna Raja Wodier --- Bahadur III which discountenanced the Saddars and

File No. of 190 Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

nonabar members of the Lingayet community from ~~advancing~~ appointing a new Guru for themselves.

(7) that the Sirigere old Matt Guru Sivanangiah was once in 1870 prohibited by the Deputy Superintendent Mr. Mc Leod from using the said insignia.

10 In these circumstances the Murgi and the Balehalli Matt disciples pray that both the -- Sirigere old and new Matts may not be granted the honor of using the said 8 insignia.

11. Notices were issued to all the parties concerned to appear on the 17th July 1907, the date ~~to~~ on which the hearing of the case had been finally posted. The case was heard on that day and on the succeeding day by the 2nd Councillor. The following Advocates were presented on behalf of the Matts -- noted against them.

Mr. D. Venkataramayya -------- Sirigere new Matt.

" S.N. Ramaswamiengar ------- Sirigere old Matt.

" S. Narayana Rao ----- Murgi and Balehalli Matts.

Mr. Dorasami Iyer who appeared on behalf of

File No.	of 190	Muzrai Secretariat.

MGCPB—2,500—1-8-05

Muzrai Secretariat. | File No. of 190

the Uggani Matt was informed that he had no locus standi in the case as he had not presented any - petition on behalf of his Matt. He thereupon submitted a petition together with a Vakalat dated the 17th July 1907. In the petition it was stated that the Sirigere new Matt and the Sirigere old Matt had unauthorizedly and illegally assumed the designation of " Uggani Saddhamma Simhasana Pecta, a designation which was applicable solely and exclusively to the Uggani Matt; and that the Sirigere Matts were not entitled to the insignia --- claimed by them, as there was no royal grant enabling them to use these distinctive badges of honor. It was therefore prayed that the Govt be pleased to issue an order restraining the Sirigere Matts from using the appellation above ---- named, or the insignia which they claimed.

2. ~~The~~ An abstract of the argument put forward by the several advocates who appeared in the case before the 2nd Councillor is appended hereto.

Slip X/

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

13 . Taking up first the arguments put forward by the advocates for both the Murgi and Balehalli Matts, it will be seen that the contention of those Matts is that they and the Uggani Parvata and Kasi Matts are the only head Matts of the Lingayet community of ancient date and recognised by royal authority, that all other existing Lingayet Matts are only branches or secessions therefrom and not entitled to honors or privileges. Referring to the Sirigere old Matt, the disciples of the -- Murgi and Balehalli Matts contend that the former is an Institution of recent date, being only 30 or 40 years old, that it could not have had a longer existence because, by the orders of H. H. the late --- Krishna Raja Wodeyar Bahadur III, issued in the -- years 1812 and 1825, the establishment of new --- Matts and Iyyas by the sadas and nonabars were prohibited and because in the order of the Nagar Division Superintendent Mr. Mc Leod, issued on the 15th August 1838, a similar direction was given.

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05

Page ( )

8A]

Muzrai Secretariat. | File No. of 190

14 On this point, the Advocate for the old Sirigere Matt (Mr. S.N. Ramaswamiengar) argues that the nirups &c quoted above did not contain definite instructions but simply discouraged the establishment of new Lingayet Matts, that the Sannad of 1812 only directed the mamool to be observed in regard to the dispute between the Sadars and nonabars on the one hand and the setti Vartakas on the other in regard to a Charanti Iyya, but what that mamool was and what further orders were passed subsequently and what were the Matts therein referred to were not known. He further contended that even from the very order of 1838 of Mr. Mc. Leod, it might be inferred that the Sadars and Nonabars were even then trying to establish a Matt of their own. He also referred to the fact that there are 8 Gaddiges (tombs) in the old Sirigere Matt, showing that 8 Swamies successively presided over the Institution, and stated that the Matt was certainly about 100 years old.

File No.	of 190	Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

15 Referring to the insignia enjoyed by the -- Sirigere old Matt and objected to by the Murgi and Balehalli Matts, the Advocate for the former Matt (Mr. S.N. Ramaswamiengar) pointed out that in pursuance of the Chitaldrug District Magistrate's order of 1870, referring the Sirigere old Matt to the Civil Court to establish its right, that Matt -- filed a suit in the Judicial Assistant Commissioner's Court in 1873, and again, according to the --- Chitaldrug District Magistrate's order of 1896, allowing the Sirigere old Matt to pass through the streets of Jagalur with the insignia except Chamara and drums on bulls, and directing them to get their right established to these two last mentioned insignia in a Civil Court, the said Matt's case went up once more before the Civil Court in 1896 by the Chief Court and that both these cases were finally decided in their favour. From a perusal of the judgment passed in the case of 1873 by the Judicial Assistant Commissioner it will be observed that the right of

File No.	of 190	Muzrai Secretariat.

MGCPB—2,500—1-8-05.

using the 8 insignia claimed by the Sirigere Matt and the counter arguments put by the Murgi Matt are similar in all respects to these now adduced, and that the Judicial Assistant Commissioner of Chitaldrug (Mr. S. Venkatavarada Iyengar B.A., M.L.) ---- found " that the Carnatic palanquin ~~(mena)~~ and the other seven articles alluded to are mere ordinary paraphernalia commonly used on occasions of ceremonies and are not honors peculiar to any class of people or to any special rank or position" and that the said (old Sirigere) ~~&~~ Matt were entitled to those honors. The Judicial Assistant Commissioner also observed that " he had no doubt from the evidence that the Sirigere old Matt's 'Gurus had as -- pretty good antiquity to boast of as the Murgi --- Matt's Gurus." These findings were not disturbed -- either in the Appellate Court of the Nagar Division Commissioner (Mr. L. Rickets) or in the Court of the Judicial Commissioner in Mysore, Col: J.L. Pearse, (offg) to which the case was carried in special

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File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

appeal, and subsequently in the Review application to the Judicial Commissioner (Mr. J.D. Gordon) The offg Judicial Commissioner, Col: J.L. Pearse, in confirming the decrees appealed against recorded the following observations:-

" The defendants (Muragi Matt) have produced certain Sannads or nirups of the late Maharaja and have pointed out that His Highness made their Guru a present of insignia such as those referred to, but they have been quite unable to show that the exclusive right to use them was alone conferred on them or that any prohibition of their use has ever since been issued in the case of the plaintiffs."

In the other case quoted by the Advocate for the Sirigere old Matt, Mr. S.N. Ramaswamiengar viz, -- thatof 1898-99, though the District Munsiff of Chitaldrug, Mr. J.E. Holt, decided against the --- right of the Sirigere old Matt to use the insignia in question, the Appellate Court of the District

File No.	of 190	Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

Judge(Mr. B. Tirumalachar) reversed the lower ---- Court's decision. The Murgi Matt thereupon made a second appeal to the Chief Court and the Judges (Messrs A. Ramachendra Iyer and A . Rangasamiengar) dismissed the appeal. In the judgment, the last -- named Judges observed that the usages of the ---- country testify to the fact that certain persons by virtue of their rank and position are entitled to certain badges of honor and that there is a -- broad distinction between such right and personal rights of liberty of person and of locomotion which are included among the inherent rights of every subject. They further observed that the plaintiffs (old Sirigere Matt Guru) is admitted by the Guru of a section of Sadar Lingayets and his right to use these insignia was upheld by this Court about 25 years ago in a suit between him and other parties. The Govt, -- which is admitted to be the highest authority for granting or withholding such honors, and for regulating their use has not taken any objection to

File No.	of 190	Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Page ( )

8A]

Muzrai Secretariat.	File No. of 190
Vide Para 4 above	the use by plaintiff of these symbols of honor. The Defendants (Murgi Matt) or such of them as appeared before the District Magistrate of Chital -drug allowed the plaintiff's right to the use of all of them except the Chamaras and the drum on a bullock. They have not produced any evidence to show that these two emblems belong exclusively to any particular dignataries or are of any high dis -tinction. The Judge accordingly went on to de- creethat, though no grant or sannad investing --- plaintiff's (old Sirigere) Matt with the 8 insig -nia (now in question) had been produced, yet the decision of 1873, the Rahadaries issued in other parts of this Province and the evidence in the case shewed that he had been using those --- honors without objection from the Govt or other person entitled to the use of such honors and --- that the defendants (Murgi Matt) had no legiti- mate ground of grievance. The Judge accordingly dismissed the 2nd appeal.

File No. of 190 Muzrai Secretariat.

MGCPB—2,500—1-8-05

Page ( )

[Muz. 8A]

Muzrai Secretariat.	File No. of 190

16 Another argument brought forward by Mr. S. Narayana Rao on behalf of the Murgi and Balehalli Matts was that the Sovereign is the only - source of all honors, and the use of them by the Sirigere old Matt without royal grant, for howsoever long a period and under the decree of whatever Courts, would not confer any legal right on ~~them~~ that Matt to the use of such insignia, and the continuance of them therefore would have to be authoritatively put a stop to. In reply, Mr. S. N. Ramaswamiengar represented on behalf of the Sirigere old Matt that royalty could not ignore the rights conferred or created by its own officers, and that the present circumstances are quite different -- from those which existed about 50 or sixty years ago. Mr. Ramaswamiengar further referred to the Govt order of 1894, regarding processions &c and -- stated that where there were no sannads, the custom or mamool obtaining in the matter and the -- Civil Courts decision thereon should be adhered

File No.	of 190	Muzrai Secretariat.

MGCPB—2,500—1-8-05

MGCPB—2,500—1-8-05.

8A]

Page ( )

Muzrai Secretariat. | File No.. of 190

to.

17. The contention of the Murgi and Balehalli Matts which are described in the foregoing paragraphs are to the effect that the Sirigere old Matt, by reason of its comparatively recent origin and the fact that it possesscs no sannads -- from the Sovereign, is not legally entitled to - the paraphernalia which it is now using and that therefore the use of such by that Matt should be interdicted. The actual date of the establishment of that Matt does not clearly appear from the -- documents produced and the arguments advanced, but at the same time it cannot be positively --- affirmed from H. H. the Maharaja's nirups of 1812 and 1825 which were only of a general nature, relating to all new Lingayet Matts, that ~~the~~ that particular Matt (old Sirigere Matt) was not in existence in the early - part of the 19th century. The Judicial Assistant Commissioner of Chitaldrug (Mr. S. Venkatavarada Iyengar, B.A., M.L.,) has observed in his judg-

ment

File No. of 190 Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Page ( )

uz. 8A]

Muzrai Secretariat. | File No. of 190

in O. S. No. 80 of 1872 on the file of his --- Court, " I have no doubt from the evidence that the plaintiffs (old Siregere Matt) have as -- pretty good antiquity to boast of as the Defendant's Gurus (Murgi Matt). It is however certain that the Matt was in existence in the year 1870 when the District Magistrate of Chitaldrug permitted the use by it of a Mena ~~or~~ and horse, and referred it to the Civil Courts for establishing -- ~~their~~ its rights to certain additional insignia --- claimed. Since then, as described above, the -- Matt proceeded to the Courts twice and obtained decrees from the highest Court in the State --- declaring their right to the 8 insignia claimed by it, and it has been using those insignia up to the ---- present day. As regards the contention that because the old Sirigere Matt possesses no grant from the Sovereign, therefore the use of the insignia should be prohibited, I beg to invite attention to the following remarks made by Judges

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05

Page ( )

Muz. 8A]

Muzrai Secretariat.	File No. of 190

Messrs A. Ramachendra Iyer and A. Rangasamiengar in 2nd appeal No. 60 of 1898-99 on the file of the Chief Court".

" It will be observed from the extracts of orders referred to in the previous paragraphs that the right to the use of such insignia is generally established by Sannads or Nirups issued by the former rulers of the countries granting - them or by mamul or usage as proved by rahadaries or other records or oral evidence, evidencing -- their use on previous occasions", and the learned Judges proceeded to say that " we are therefore of opinion that though no grant or sannad investing plaintiff's Matt (old Sirigere Matt) with such honors, has been produced, yet the decision of 1873, the Rahadaries issued in other parts of this Province and the evidence in this case show that he has been using these honors without any objection from the Govt or other person entitled to the use of such honors and that the defendants

(Murgi Matt

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

had no legitimate ground of grievance". There does not seem to be any reason therefore why the insignia proved to have been uninterruptedly used for many years by the old Sirigere Matt should be withheld now on the ground of there not being a royal grant in that behalf. The Murgi and Balehalli Matts' petition as against the old Sirigere Matt should therefore, in my humble opinion, be rejected, and, to avoid further disputes and litigation, I think the 8 insignia --- noted in the margin which have been declared by the Chief Court as due to the old Sirigere Matt may be confirmed to that Matt by H. H. the Maharaja's Government.

1. Palanquin.
2. Dhooly. or Mena
3. Red Umbrella.
4. Aftagiri.
5. ~~Kalas.~~ Kahale
6. Chamara.
7. Gaggarakattige.
8. Yettinamele Nagari.

18. The next question relates to the claim of the new Sirigere Matt to certain paraphernalia. The history of this Matt's case has been fully given ~~described~~ in the earlier part of this Office Note, from - which it would appear with be seen that at the end of the year 1888, the Birudus of this Matt consisted of Mena, 3 Redumbrella, 5 Kale and Baja Bhajantri as finally approved

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

by the then 1st class Magistrate the late Mr. G. Raghunatha Rao. Subsequently, the Guru of this -- Matt appears to have gone out with these paraphernalia in 1888 and 1893 and a license to the same appears to have been issued in 1898 also. Interruption to the use of these Birudus appears to have been caused only so recently as in August 1905 by the opposition raised by the old Matt, and even -- then the District Magistrate, Mr. H. Ramanujiengar, upon a review of the previous orders and upon a consideration of the objections brought forward by the old Matt, directed the issue of a license to the new Matt's using the paraphernalia referred to above. It is argued by Mr. S.N. Ramaswamiengar, advocate for the old Matt, that this order of the Dt Magistrate was exparte, but this statement is not correct. A perusal of the Deputy Commissioner's order will show that the objections raised were duly considered and rejected by him. That order appears to me to have been perfectly sound and ---

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

correct.

19. In the 2nd order of the 21st February 1906 which the District Magistrate passed cancell -ing his first order, he ~~has~~ again reviewed the facts of the case and stated that he doubted the correctness of the conclusions which were pre- viously arrived at by him, that the orders passed from time to time by Mr. Raghunatha Rao were con- tradictory, that the remarks made by the Chief - Court in para 8 of their Judgment in second ap- peal No. 60 of 1898-99 were opposed to the grant of the Birudus to the new Matt as they were ex- pressly recognised as due to the Sirigere old - Matt, and he therefore directed the new Matt to establish its claim in Civil Courts.

20. Referring to the above, I beg to point out that Mr. Raghunatha Rao appears to have gone on the principle that the Matt, being a new one, it should be permitted to use only such paraphernalia as could be used by any ordinary person. At

File No. of 190 Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

first he thought that riding on horse back and the use of Bhaja Bhajantri were sufficient, but later on it came to notice that certain other -- things such as Mena, Kempuchattri and Kahale and music were also generally used, and therefore he permitted their being used. His direction that - Palakhi, Chamara and Aftagiri &c should not be - used by the new Matt shows clearly that he considered these to be special Birudus.

21 The other reason adduced by the Deputy Commissioner for changing his first order is the remark made by the Judges of the Chief Court in para 8 of their Judgment in second appeal No. 60 of 1898-99, which runs as follows " We have no doubt that he (Sirigere old Matt Guru) would be the first person to resent the assumption of the insignia by any of his disciples or servants or by members of a lower caste". The above passing remark cannot, in my humble opinion, be taken to be a direction that the Birudus then in question --

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. File No. of 190

should not be used by the new Sirigere Matt which was not a party in the case. On the whole I think that the reasons given in the Deputy Commissioner's second order are not convincing.

22. Anyhow, the Deputy Commissioner's 2nd -- order was confirmed by the Chief Court in Criminal Revision case no 125 of 1905-06 for the reasons -- stated therein.

23 Arguments have been advanced on both-- sides with reference to the Razinama Decree passed by the Munsiff of Chitaldrug on the 13th July 1887. In this Decree, while it was directed that the new Matt should not use the special insignia of the old Matt, what these special insignia were, were - not specified. The decree therefore became inoperative for all practicable purposes. Subsequently an application for amending this decree was made but it was withdrawn by the old Matt and it was accordingly dismissed on the 6th November 1888. The result therefore was that the vague and inoperative ----

File No. of 190 Muzrai Secretariat.

MGOPB—2,500—1-8-05.

Page ( )

M...d. 84]

Muzrai Secretariat. | File No. of 190

nature of the decree of 1887 continued.

24 It is contended on behalf of the old Sirigere Matt that the 8 insignia confirmed to that -- Matt by the Judicial Decissions of 1874 and 1902 - are all of them special ones and that the use of - any of them by the new Matt amounts to an usurpation of the rights and privileges of the old Matt.

25 The Judicial decissions in question did not as a matter of fact confer the 8 Birudus on -- the old Sirigere Matt as against all the world, and further there are among them some which are used - even by private individuals, as for instance, the -- Mena

26 An objection is brought forward to the --- effect that the new Sirigere Matt having appealed to the Chief Court against the District Magistrates 2nd order, it should not also appeal to Govt on the same subject. I am of the humble opinion that this should be treated not as an appeal, but as an appli-cation to the Govt for the settlement of the ----

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

honors due to it.

27 It is also stated that the new Matt has very few disciples consisting chiefly of excommunicated persons, while it is represented that the old Matt is an ancient institution with about 1 lac of persons as its disciples. The new Matt on the other hand asserts that it has about 4 thousand disciples. It is only natural for opposing parties to exaggerat their own importance and to decry the respectability of the other side.

28 It has now to be decided by Government what paraphernalia, if any, should be permitted to be used by the new Sirigere Matt. I do not think there is any object to be gained by referring the Matt to the Civil Court because it is a very recent institution, being only 20 years old, and it cannot prove long usage or custom. From the history of this case it will be seen that the Assistant Commissioner and the Deputy Commissioner as Magistrates, have gone on granting Birudus to this Matt, a step which they

File No.	of 190	Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

had no authority to take. It is matter for surprise that when the question of the insignia to be allowed to this Matt came before the local officers --- several times, they did not think of submitting the matter for the orders of Govt, nor did the contending parties take that step. The matter having now come up before Govt, I think that in consideration of the fact that the Matt in question has been in existence for the last 20 years at the head of a certain number of disciples who found it necessary to secede from the older Matt, and has enjoyed certain honors allowed by the Local authorities, and to the fact that some respect and consideration ~~has to be conceded~~ may be considered to be due to the head of a community, the Birudus sanctioned by the Local authorities in 1888 may now be conferred on the Matt under the orders of H. H. the Maharaja. The Birudus in question namely Mena, Kempuchattri, Kahale, Baja Bhajantri and Sammela - are none of them of an extraordinary character and may, it is submitted, be given. The further insignia

File No. of 190 Muzrai Secretariat.

MGOPB—2,500—1-8-05.

Page ( )

Md. (III) 8A]

Muzrai Secretariat. | File No. of 190

asked for by the Matt, viz, Karnataka Palaki, Aftagiri, Gaggarakattige, Chamara and Nagari on bullock, ~~night~~ may be refused as they are of a special nature. The -- grant now recommended will be a mark of Royal ---- favour to that institution while it will prevent - all further disputes and litigation.

29 There remains the petition presented by the Ujjani Matt complaining that the old Sirigere Matt is using the title of " Ujjani Saddharma Simhasana Peeta " as it belongs to the Ujjani Matt alone. The advocate for the old Sirigere Matt has stated in reply that this is not being done. Under the circumstances, no orders on the question seem to be called for.

30. In another case relating to the Yetiraja Matt at Melkote, His Highness the Maharaja has directed that all future cases relating to the grant of honors &c should be treated as Council cases and submitted to him for orders.

Submitted to the 2nd Councillor.

Chandalasami Rao

11 12 1907.

Page ( )

File No. of 190 | Muzrai Secretariat.

423
21.12.07

Please enquire demi officially of the Deputy Commrs of Chitaldrug, Shimoga & Kadur - what proportion of the Sadhu Lingayats in these Districts were disciples (1) of Murgi Matt (2) of Sirigeri old Matt (3) of Sirigeri New Matt no elaborate statistics or enquiries are necessary. Approximate information obtained from reliable source, will be sufficient. We have to form an idea of the following of each of these Matts among the Sadhu Lingayats.

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21/12/07

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21/12/07

Muz. 8A]

Muzrai Secretariat. | File No. of 190

Note continued

The Deputy Commissioners of Chitaldrug, Shimoga and Kadur were demi-Officially written to, to furnish the needful information.

From the statement submitted by the Shimoga Deputy Commissioner, it is observed that the Sadhu Lingayet population of that District is 36,006 out of which the disciples of Muragi Matt are 30856 those of the Sirigiri old Matt are 4550 and those of Sirigiri new Matt are 600.

From the statement sent by the Kadur Deputy Commissioner it is observed that the Sadhu Lingayet population of that District is 6484, out of which the disciples of the Muragi Matt are 2434, those of the Sirigiri old Matt are 2497 and those of the Sirigiri new Matt are 690.

The reply from the Deputy Commissioner of Chitladrug(which has just been received)shows that the approximate number of Sadhu Lingayet in

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File No. of 190 Muzrai Secretariat.

Muzrai Secretariat. | File No. of 190

that District who belong to the Muragi Matt are 42100 those who belong to the Sirigiri old Matt are 38600 and those who belong to the Sirigiri new Matt are 8700.

The Swami of the Sirigiri new Matt has petitioned Government praying for early favourable orders in regard to the grant of certain insignia to his Matt. He has produced a number of documents to show that a large number of Sadhu Lingayets pay homage to his Matt. From an examination of these documents, it will be observed that there are mutchalikas &c said to have been executed by Sadhu Lingayets of Rane-Benrur, Koda , Karajgi, and Haveri Taluks of Dharwar Jillah, of Chennagiri, Soraba Kudligi and Holalkere Taluks some of them representing that they have no faith in the Sirigiri old Matt and acknowledging the Swamy of the Sirigiri new Matt as their religious head, and certain others, inviting the Swamy of the new Matt for car festival and re-

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File No. of 190 | Muzrai Secretariat.

Page ( )

Mnz. 8A]

Muzrai Secretariat. | File No. of 190

requesting him to enlighten them with his valuable instruction. There is the Karike Tapeh Patti of Cadjan Thatched of Kodo Valley, Ajna Patra from the Head, inviting people of Tevanore for Vijadesami Utsavam and Hindu Perahera to participate with the Deity to their village.

326 Submitted to the 2nd Councillor with reference to his remarks at page 34.

[signature]

14th February 1908

Vide 2nd Mrs. Note attached
11/4/08 [signature]

File No. of 190 Muzrai Secretariat.

Note by the Second Committee :— 38

This appeal primarily relates to a dispute between two Sadhu Lingayat Matts situated in the village of Sirigere in the Chitaldrug Taluk, regarding the right to the use of certain insignia. But it has become enlarged in scope owing to the appearance on the scene of certain other Matts which object to either of the two Sadhu Lingayat Matts being allowed to parade any of the insignia.

2 · A few words about the ecclesiastical order of the Lingayat community will not be out of place here. There are two classes of established Matts among the Veerasaivas, viz., the Gurusthala and the Shadsthala Matts. At the head of the Gurusthala Matts -- stand the five Simhasanas of Balehonnur, Ujjini, Kasi, Srisaila and Himavathedara, which are said to have been founded by the five great Acharyas of the Veerasaiva religion. The swamies of these Matts must be

Brahmacharins so long as they continue as Pattadhikaries of the Matts. Again there are Branch Matts subordinate to these Pattadaswamies and presided over by married priests. These Simhasana Matts and their Branches exercise general control and supervision over the religious rites and/~~[illegible]~~ observances of the members of the community under their respective charges and take part in all socio-religious functions of the community. The Shadsthala Matts on the other hand are all presided over by Viraktas (or Sanyasins). These Matts are, with a few small exceptions, under the direct control and supervision of the Murugi Matt at Chitaldrug, whose high-priest receives homage from the whole Lingayat community as the Chief of the Viraktas. By the very nature of its constitution and Ashrama, the Murugi Matt takes a higher rank than the Simhasana Matts. All properly constituted Matts of the Lingayat community must come within the hierarchy above sketch

40

ed out. The Sadhu Lingayat Matts are quite out-side this hierarchy, having come into existence in recent times. What is now known as the Sirigere Old Matt appears to have been set up about 70 years ago by some Sadhu Lingayats, in opposition to the established order of Matts. This movement attracted the notice of H. H. the late Maharaja Krishnaraja Wodeyar Bahadur III, who from time to time issued Nirups directing the local authorities to discourage and prohibit such dissentient movements and enjoining upon all Sadars and Nonabers to render homage to the established Matts. These Royal Nirups have clearly declared that the Sadars and Nonabers are not entitled to Aiyacharakattu (or priesthood). The movement, however, continued to gain in strength and the Matt at Sirigere came to be established. During the British Commission days, this Matt attempted to gain recognition from the Executive

Government for the use of certain insignia. But public opinion even in those days appears to have been so -- strong that Col Mc. Leod thought it fit to direct needful steps being taken to prevent the Saders and Nonabers from having a new Aiya of their own, against Mamool. Even the Chief Commissioner, Sir Richard Meade, in his order of 20th February 1872, accepted the views contained in the old Royal Nirups and refused the application of the Swami of the Sirigere Matt for permission to go in -- procession with certain insignia, the use of which he claimed on the ground that they were ordinary ones that could be used by any private individual. It was also observed in that order that there was much difference between the occasional use of these badges of honor by private individuals on festive occasions and their adoption by the head of a Matt as permanent appendages. Having thus failed in his attempts with the

Executive Government, the Swami of the Sirigere Old Matt next turned to the Civil Courts and in 1873, succeeded for the first time in having his right to the following eight insignia, viz., Palaki, Mena, Kempuchatri, Chamara, Kahale, Aftagiri, Naggarakat'ige and Nagari on bullock, recognised by a suit in the Court of the Judicial Assistant Commissioner, Mr. S.Venkataravada Iyengar. This officer accepted the contention of the Sirigere Matt that the insignia claimed by it were ordinary ones that could be used by any person. The Sirigere Old Matt thereafter continued to use the insignia and all subsequent attempts on the part of the Murugi and Balehalli Matts to have that decree set aside proved unsuccessful.

3. It must be noted here that so long as the Executive Government dealt with the question, a right and proper view appears to have been taken, regard

being had to tradition, custom, public opinion and general welfare of the community. But the question took a different turn when it became the subject-matter of litigation in Civil Courts and the decisions of these Civil Courts, ~~xxx xxxxxxx~~ based on abstract considerations, ran counter to the previous executive orders both of H. H. the late Maharaja and the Chief Commissioner. So much for the origin of the Sirigere Old Matt and its right to the insignia which latter is based on the Judicial Assistant Commissioner's decree of 1873 and not on any Royal sannad or order of the Executive Government.

4. Some disciples of the Sirigere Old Matt -- seceded from it and about the year 1885-6 established a rival Matt in the same village, which became known as the Sirigere New Matt. The Swami of this new Matt was, in the beginning, permitted by the local authorities

ities to go in procession on horse back attended by music. As the adherents of the new Matt increased in numbers they began to acquire new honors for the Matt. Thus, in 1887 they applied for and obtained permission to use Mena and Kempuchatri. In 1888 they wished to add Chamara and Aftagiri. But the old Matt opposing this application, the then Sub Division officer and 1st class Magistrate, Mr. G.Raghunatha Rao, after hold ing an enquiry, ordered that the new Matt might use Mena, Kempuchatri, Kahale and music as these were ordinary insignia. He furtner directed the Amildar to permit the new Matt using even Chamara and Aftagiri if there was no objection thereto. In 1897, the old Matt had also filed a suit before the Munsiff of Chitaldrug for an injunction against the new Matt using any of the insignia . But this suit was subsequently withdrawn as the parties came to an understand -ing

by which the defendant (new Matt) agreed not to interfere in the affairs of the disciples of the Plaintiff (old Matt) or use any of the special insignia of the latter. The question what were the special insignia of the old Matt having been left undecided, the new Matt kept on using the four insignia ~~xxxxxxxxxx~~ above referred to, namely, Mena, Kempuchatri, Kahale and Bajabajantri. In 1905, the Guru of the new Matt applied to the Deputy Commissioner, Mr.H.Ramanujiengar, for a license to go in procession with all the 8 insignia used by the old Matt on the ground that they were, as admitted by the Old Matt itself in 1873, ordinary ones that could be used by any person. That officer in his first order of 20th September 1905, permitted the new Matt to use Mena, Kempuchatri, Kahale and Music on the ground that these had been formerly allowed to it. But when the old Matt objected to its rival being --

allowed to use even Mena and Kempuchatri, the same officer on a reconsideration of the case, cancelled his previous order and directed the new Matt to establish its right to the insignia in a Civil Court. -- Against this order of the Deputy Commissioner, dated 21st February 1906, the Sirigere New Matt has appealed to Government. The question having thus come up before Government, the Murugi and Balehalli Matts have availed themselves of the opportunity to press their old grievance.

5. I shall first deal with the wider dispute between the Simhasana Matts and the Sadha Lingayat Matts. As stated above, the Sadars and Honorers manifested a desire to separate themselves from the established Matts even from the beginning of the last century. But H. H. the late Maharaja Krishnaraja Wodeyar Bahadur III was quite decided on the point that these

classes were not entitled to Aiyacharakattu (priesthood) and as such they should continue to be under the jurisdiction of the recognised Matts according to -- mamool. His Highness's Nirups directed the local authorities to adopt severe measures against any one acting contrary to such mamool. Subsequent executive orders show that the views contained in these old Royal Nirups were adhered to until 1872. From the very application of the Swami of the Sirigere Matt to the Chief Commissioner, dated 10th August 1871, it is evident that the order of Col.Mc.Leod, dated 15th August 1838, prohibiting the Sadars and Monabers from setting up an Aiya of their own in opposition to the Balehalli Simhasana was in force till then, and if at all the swami of the Sirigere Old Matt had made any display of insignia it must have been done on the sly. The Judicial Assistant Commissioner, however, assumed that the plaintiff --

(Swami of the Sirigere Old Matt) must have "long ago commenced to parade with the insignia alluded to,which according to Hindu notions form the preliminary essential furniture for those who set themselves up for the leadership of any religious sect or faction" and that the plaintiffs "have as pretty good antiquity to --- boast of as the Defendants' Guroos (meaning the Guroos of the Murugi Matt)". He further held that the Swamies of the former Matt "independently of their position and rank as Guroos and merely in their ordinary capacity as subjects of the Mysore Government, had the common natural right to go in all streets which belong to the public in common --- --- --- in any manner they liked,in a palanquine or in a coach drawn by 20 horses; with umbrellas of any color; with banners and other apparatus commonly typical of show and pomp, provided they had money to spend." To show the inapplicability of this radical view, at least to the Mysore State, I cannot do better than quote from the judgment of the Chief Court in Second Appeal No.60 of

7 & R (C 7 A° III)

of 1898-99. The learned JJ. Messrs Ramachandra Iyer and Rangaswamiengar observed [redacted] as follows:- "We have no doubt that he (the Swami of the Sirigere Old Matt) would be the first person to resent the assumption of the insignia by any of his disciples or by members of a lower caste. The usages of the country testify to the fact that certain persons by virtue of their rank and position are entitled to certain badges of honor and that there is a broad distinction between such right and the personal right of liberty of person and locomotion which are included among the inherent rights of every subject. -----" When the status of the Sirigere Matt was once recognised in 1873 that Matt began to display the insignia in public and a mamool in their favor was, as a matter of course, created, which could not but be upheld when subsequently the matter went up before the Civil Courts. As already remarked, these decisions of the Civil Courts

are based on abstract considerations. In Special Appeal No.30 of 1874 it was held by the Judicial Commissioner Col. J.L.Pearse, that the disciples of the Murugi Matt "have been quite unable to prove that the exclusive right to use them (insignia) was alone conferred on their Guroo or that any prohibition of their use was ever is ued in the case of the plaintiff (swami of the S igere Old Matt)." A ain, in Second Appeal No.60 of 1898-99 the Chief Court held that "the right of any person to go in pro e sion along a public hi hway with such badges of honor as he is ordinarily accustomed to use cannot be objected to except on some valid ground such as that it is against established mamool or that any other person has acquired a righ by damul or in some other way to stop such procession" and that "though no sannad investing the plaintiff 's Matt with such honors have been produced, yet the decision of 1873 and the rahadaries issued in other parts of the

A/. (Page 20) (L.F. No III)

III

Province and the evidence in this case show that he has been using these honors without any objection from the Government" etc. I must not, however, fail to -- bring to notice two important principles which have been admitted even in the above two decisions. They are (1) that "in the peculiar position of this Provinc any decision on religious matters passed by H. H. the late Maharaja should have great force in a case like this" and (2) that "Government is admittedly the highest authority for granting or withholding such honors and for regulating their use." The latter principle has been more than once asserted though in connection with a particular honor, namely, Addapalaki. (Vide. G. O. No.849, dated 17th January 1899 in which the decree of the Shimoga Judicial Assistant Commissioner in O.S. No.426 of 1874 was not accepted as binding -- and the Ananthapur Murugi Matt was prohibited from

X
(L.F.A. VII)

using

using Addapalaki. Also ~~in~~ the more recent G. O. No.55 No.5547-58 dated 28th May 1907 passing orders on the claims of the Kudli Sringeri and Murugi Matts for the use of Addapalaki.) The practice of Magistrates referring parties to Civil Courts in matters relating to insignia appears to have crept into this Province during the British Commis ion~~s~~ days and led to these Matts obtaining Judicial decrees regarding the use of insignia; and these decrees have, ~~in many ways~~, practically up set the orders conveyed in the Nirups of H. H. the late Maharaja and the endorsements issued by the late Chief Commissioner. The matter having now come up -- before Government, it is desirable that final orders regarding the insignia that may be allowed to these Sirigere Matts should issue under the sanction of H.H. the Maharaja who is the fountain head of all honour and authority. The District Officers have estimated

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(L.F.N°VI)

the Sadhu Lingayat population of the three Districts of Chitaldrug, Kadur and Shimoga as shown in the margin. Rough though these estimates are, they clearly show that the majority of the Sadhu Lingayats still pay allegiance to the ~~new~~ old established Matt (Murugi), a comparatively smaller number holding to the Sirigere Old and New Matts. The allegation of the Sirigere Old Matt that it is the sole head of the Sadhu Lingayat community cannot, therefore, stand. Nor can the swami of that Matt be entitled to all the -- honors that are due to the heads of recognised Matts.

Sadhu Lingayat population	Murugi matt disciples	old Sirigere matt	new Sirigere matt	Grand total being 53,027
Chitaldrug	42,100	38,600	8,700	
Kadur	2,434	1,867	1,320	
Shimoga	30,856	4,550	600	
Total	75,390	45,017	10,620	

⊗ 90 26 persons are reported to make no distinction between the old and new Sirigere Matts 630 has been added to the new matt and 630 added to the old matt in order to complete the grand total

At the same time it must be admitted that this Matt has for some time enjoyed and become accustomed to the use of certain insignia. It is also desirable that the Government should, in these days of general upheaval [illegible]

advancement, pursue a more liberal policy. I am not therefore prepared to uphold the objections of the Murugi and Balehalli Matts in toto and to deny to the Sirigere Old Matt the use of all the insignia hitherto enjoyed by it. Taking the position, status and other circumstances of this Matt into consideration, I am of the humble opinion that the purposes of its dignity and convenience will be sufficiently satisfied by the grant to it of the ordinary insignia of (1) Mena, (2) Kempuchatri, (3) Kahale, (4) Gaggarkattige and (5) Nagari with Bajabajantri. To the grant of these honors I do not think that even the Simhasana Matts could have any serious objection. The other three insignia, namely, Palaki, Chamara and Aftagiri, which are considered as more important honors, may be disallowed.

6. Coming next to the dispute between the rival Sadhu Lingayat Matts, it will be observed that much

stress has been laid on the Razinama of 1887, by which the New Matt agreed, among other things, not to use any of the special insignia of the old Matt. But this agreement was rendered practically inoperative by -- reason of the point what the special insignia of the Old Matt were having been left undecided. Thus, the New Matt was permitted by the local authorities to use Mena, Kempuchatri, Kahale and Bajabajantri on the ground that these were ordinary insignia. Even so recently as 1905, the Deputy Commissioner of Chitaldrug in his first order (29th September 1905) permitted the New Matt to use these insignia. But when the Old Matt objected to this, the same officer on a reconsideration of the case, withdrew his previous order and -- directed the new Matt on 21st February 1906, to establish its right to the insignia in a Civil Court. As above pointed out, the Sirigere Old Matt can have no

manner of claim for being the sole head of the Sadhu Lingayat community. The Sirigere New Matt also administers to the religious wants of a section of the community. Under these circumstances and considering the fact that previous to 1905 the New Matt had enjoyed the use of Mena, Kempuchatri, Kaḷale and Bajabajantri and that such enjoyment was considered by the 10 local authorities as unobjectionable, it appears to me, that the Deputy Commissioner's second order of 21st February 1906, referring the New Matt to Civil Courts, was neither just nor expedient. This order may therefore be set aside.

7. I may be permitted to add that these two -- rival Matts are situated in the same village and do not differ much in social status and position except that the one is a little older than the other and has a greater number of followers. Any distinction made in respect of the insignia allowed to these Matts will

57

in my humble opinion, only tend to create in the mind one a sense of superiority over the other and thereby intensify the spirit of rivalry which has already existed long enough to the detriment of public peace in those parts. I would therefore recommend that both the Sirigere Old Matt and the Sirigere New Matt be equally allowed the use of the ordinary paraphernalia of Mena, Kempuchatri, Kahale, Gagarkattige, Nagari and Bajabajantri and that neither of them be permitted to use the higher biridus of Karnatak palaki, Chamara and Aftagiri.

H. Cunningham
2d/Councillor

10th April 1908

Submitted to the Dewan
11/4/08

8669
11/4/08

Dewans order
Please circulate to Council Bo
13/4/08

PV

58

Page ( )

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Muzrai Secretariat. | File No. of 190

No 4469 Executive file -

Forwarded to the Secretary to Govt, Genl & Rev Depts as per Dewan's orders.

[illegible]
13/4/06 Secy, Muzrai Dept

I agree with the Second Councillor in the opinion that the second order of the Dy C dated 21 Feb 1906, approving the new Sivagiri mutt swamy & Civil Courts, was neither just nor expedient - But I am unable to go the length of recommending that the paraphernalia claimed should be conferred by an order of H.H. the Maharaja "as the fountain head of all honor and authority -" It seems to me that, by this time, the addapalki (Cloppalanguin) & the Sevachethiri are, (White silk umbrella) apart from

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Muzrai Secretariat. | File No. of 190

from the new titles which are being conferred since the reign of H.H. the late Maharaja Sri Chamarajendra Wadeyar) the only honors which are not appropriated unless expressly conferred by H.H. the Maharaja, and which are duly regarded & respected as Royal honors - In this view, the Deputy Commr may be informed that Govt see no reason to deny to the Swamies of the old & of the new Srirangam mutts the right honours in question qua honours, & that, in the opinion of Govt, local officers need not interfere to regulate their use by the Swamies except when & where such interference may, / fatall /

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Muzrai Secretariat. | File No. of 190

if it shall be necessary to prevent a breach of the public peace - Sd/- 20/4/08

Dewan
C&B
24/4/08

GPB—3,000—22-6 06

Submitted to His Highness.

These papers relate to the claim of the Guru of the new Sadhu Lingayet Mutt at Sirigere in the Chitaldrug Taluk for certain insignia.

The facts of the case have been very fully set forth in the notes of the Muzrai Secretary and the Second Councillor on the file.

Briefly the case is as follows: In the Sirigere village of the Chitaldrug Taluk there are two Sdahu Lingayet Mutts, viz., the old Mutt founded more than 70 years ago, and the new Mutt founded in 1886.

Under a decree of the Judicial Assistant Commissioner, Chitaldrug District, passed in 1878 and confirmed in appeal by the Commissioner of the Nagar Division and the Judicial Commissioner of Mysore, the Sirigere old Mutt has been in the enjoyment of the 8 insignia noted in the margin. The Sirigere new Mutt on the other hand has, under the orders of the local authorities, been enjoying the 4 insignia noted in the margin from the year 1888.

1. Palki
2. Mena
3. Kempuchatri
4. Aftagiri
5. Kolay
6. Chamara
7. Gaggarkattige
8. Yettinamele Nagari

1. Mena
2. Kempuchatri
3. Kolay
4. Bajabajantri

62

In connection with an application of the new Mutt in the year 1905 for permission to go in procession with all the 8 insignia used by the old Sirigere Mutt, the then Deputy Commissioner and District Magistrate, Mr. H. Ramanujiengar, permitted the new Sirigere Mutt, on 29th September 1905, to go in procession only with the four insignia it was already using, but later, on a representation made by the old Mutt, he set aside this order on 21st February 1906, and referred the new Mutt to a Civil Court. The Mutt then preferred an appeal against this decision to the Chief Court, but this appeal having been dismissed, it has now applied to Government for a reversal of the order of the Deputy Commissioner and District Magistrate and solicited permission to its using the ~~four~~ five insignia noted in the margin, in addition to those already in its enjoyment under the orders of the local authorities.

1. Palki
2. Aftagiri
3. Gaggarkattige
4. Chamara & Nagari

This application is opposed by the Sirigere old Mutt, the Murgi Mutt, the Balehalli Mutt and the Ujjini Mutt.

The Sirigere old Mutt contends that it is the religious head of the Sadhu Lingayet Community and

as such solely entitled to the insignia in question, that the new Mutt is of recent origin, that it is not really a Mutt and has no mamul in support of its claim.

The Murgi and Balehalli Mutts contend that they are the genuine Mutts of the Veerasaiva community, that the Sirigere old Mutt is only a seceder from the Murgi Mutt, that it was illegally founded in opposition to the Nirups of His Highness Sri Krishnaraja Wodayar Bahadur III, that the same objection applies also to the new Sirigere Mutt and that the grant of such insignia is a prerogative of the sovereign, who has not conferred any insignia on either of these Mutts.

The Ujjini Mutt contends that both the old and new Sirigere Mutts are not entitled to the insignia claimed, as they possess no royal grant.

The Muzrai Secretary thinks that both the old and the new Sirigere Mutts may be allowed to continue the use of the insignia now in their enjoyment, viz., 8 in the case of the old and 4 in the case of the new Mutt.

The case was heard by the Second Councillor, the parties being represented by their Advocates.

The Second Councillor is of opinion that the contention of the Sirigere old Mutt that it is the religious head of the Sadhu Lingayet Community cannot stand, and that the Guru of the Sirigere old Mutt cannot lay claim to all the honors due to heads of recognised Mutts. He recommends that the five ordinary insignia noted in the margin may be continued to the Sirigere old Mutt, which, taking its position, status and other circumstances into consideration, he thinks, would sufficiently serve the purposes of its dignity. He is of opinion that the other important honors of (i) Palki, (ii) Chamara and (iii) Aftagiri may be disallowed. Similarly, as regards the Sirigere new Mutt, the Second Councillor thinks that the order of the Deputy Commissioner and District Magistrate referring the Mutt to Civil Courts for a declaration of its right, is neither just nor expedient and that the same should be set aside. As to the insignia to be allowed to it, he does not wish to make any distinction between the old and the new Mutts, both of which are situated in the same village and do not differ much in status and position, except that the one has a larger number of followers than the other. He adds

1. Mena
2. Kempuchatri
3. Kolay
4. Gaggarkattige &
5. Nagari with Bajabajantri

63

that final orders should issue under the sanction of His Highness the Maharaja who is the fountain head of all honor and authority.

The First Councillor agrees with the Second Councillor in the opinion that the order of the Deputy Commissioner and District Magistrate, Chitaldrug, of 21st February 1906 referring the new Sirigere Mutt to the Civil Courts is neither just nor expedient, but he does not agree in the opinion that the paraphernalia claimed should be confirmed by an order of His Highness the Maharaja "as the fountain head of all honor and authority". He is of opinion that it is only the "Adda Palki" and "Sweta Chatri" that are regarded and respected as royal honors, and that, in this view, the Sirigere old and new Mutts need not be denied the 8 insignia in question and that local officers need not interfere to regulate their use by the respective Swamis, except when and where such interference may, if at all, be necessary to prevent a breach of the peace.

There is much force in what the Second Councillor has said regarding the undesirability of referring questions relating to insignia to be used

by heads of Mutts and religious institutions for decision by the Civil Courts. The Civil Courts are not the proper authorities for dealing with questions of this kind. It is the decisions of the Civil Courts that have been a fruitful source of disputes between contending factions in regard to the use of these insignia. The practice seems to have crept in during the days of the British Commission. I would recommend a rule being laid down that on questions connected with the use of insignia, parties should never be referred to Civil Courts. All questions connected with them should be sent up for the orders of Government, and the orders issued by Government should be strictly enforced.

Regarding the present question, the clear statement of the facts of the case contained in the Second Councillor's minute will show that though His late Highness the Maharaja Sri Krishnaraja Wodayar III discountenanced the recognition of the schismatic Mutt of Sirigere and the executive authorities during the days of the Commission refused the grant of any insignia to the Mutt, the Mutt appears to have clandestinely used such insignia, and later on got their

67

right to use them decreed by a Civil Court, such decree being confirmed by the highest Court, viz., that of the Judicial Commissioner, in 1874. Since then, the Sirigere old Mutt has been enjoying the 8 insignia without challenge. I would recommend that this enjoyment may not be disturbed, and that orders may be passed to the effect that Government do not see any reason to deprive it of these in and that it might continue to use them. I would not at the same time recommend ~~the~~ any royal grant being made for the use of these insignia, as there are not materials for deciding whether the Mutt is entitled to this special privilege from the Sovereign. In fact the Mutt itself does not ask for it.

Regarding the new Sirigere Mutt, I would similarly leave the present enjoyment of the 4 insignia which they have been using under the orders of the local authorities, undisturbed. These as well as the insignia now used by the old Sirigere Mutt, have nothing special about them, although, perhaps in regard to Aftagiri and Chamara, it may be a question whether they are not honors which should be exercised only with royal permission. However, this question

68

does not arise in the present case. It will suffice if orders are passed that the Sirigere new Mutt should confine itself to the 4 items which they have been enjoying from 1888.

These recommendations may be approved.

21/8/1908

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

157

Claim of the Sirigere Matt, Chittaldroog Taluk, for certain insignia.

Order.

185

[illegible] rce with the remarks to the [illegible] be followed.

[illegible] is to [illegible] to the [illegible] rule of [illegible] the practice of the Criminal Judicial Officers and the Civil Courts.

[illegible] be treated accordingly.

7/9/08

208
16.9.08
Draft submitted to Secretary Committee
16.9.1908

Draft submitted 16/9/08

Seen
10/9/08

9/9/1908

(with 31 papers read from the Private Secretary)

To prepare Orders

70

Page ( )

Muz. 8A]

Muzrai Secretariat.	File No. of 190

Endorsement No 1232, dated 18. 9. 08,
to the Swami of the Sirigere Vira Mutt.
Informs him that he may continue to
use the 4 insignia (Vina, Kedumbattu
Kahale & Bajabaj antri), which he has been
enjoying for some yrs in past.
No 1233 & 18. 9 08. Copy to D.C Chitaldrug.
Revised draft order is submitted for
approval, as directed.

6/10/08

Draft as revised by me
may be approved

34
7-10-08
Dewan

105/80
8.10.08

Draft approved by Dewan

Submitted to the 2nd Commissioner for perusal.

27/10/08.

Seen
27/10/08

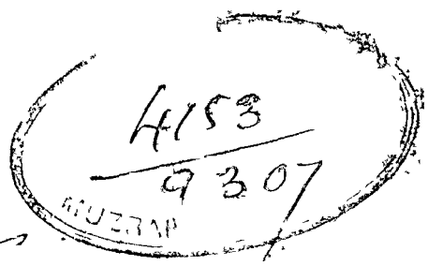
Seen
27/10/08

GPB—3,000—22-6 06

File No. of 190 | Muzrai Secretariat.

Serial No.	
2.	To, The Dy Commr, Chitaldrug Dist " – Dy Commrs of other Districts. " – Registrar, Chief Court " – Munz Supdt in Mysore. No 101-10 Dy 29-10-1908. Passes orders with certain observations, on the claim of the Guru of the Singere new matt for the use of certain insignia by him To, Gurusiddeswara Swamy of the Singere new matt Communicates the substance of the above order

GPB—50,000—15-5-08



Reference

RS
9/3/07

1907

From

Mr Cherugeard Chitty Esqr B.A
Deputy Commissioner
Cuddalore district

To

L Srinivasaswami Rao Esqr BA
Secretary to the Board of the Hindu
Dharmasthanam Trustees
Madras

Dated 7th March 1907

Despatched

Received 9th March 1907

General No. 418

No.

Enclosure No. 3 files

Submitting report on
the petition of Jagadguru Siddeshwara
Swamy of the Mutt at
Sirsagore in the Cuddalore Taluk
appealing against this office order
prohibiting the use of certain
cinbegn used by them

No 418. Rec'd 3 files of records (Same separately)

Office of the District Magistrate
Chitaldrug District
Dated, Chitaldrug 1st March 1907

From

M. Chungiah Chetty Esquire B.A
District Magistrate
Chitaldrug District

To

L Ananta-ami Rao Esquire B.A.
Secretary to the Government of H.H.
the Maharaja of Mysore
Mujrai Department, Bangalore

Sir,

In reply to your docket no. 3512 of 18th January 1907 forwarding for report a petition from Guru Siddeswara Swamy of the Mutt at Sragere in the Chitaldrug Taluk, appealing against Office order prohibiting the use of certain insignias by him, I have the honor to report as follows.

2 A Sadhu lingayet Mutt which goes by the name of Taralabad Dod Mutt is at the Sragere village of the Chitaldrug Taluk It is said to have been founded three about six Century ago and is presided by a Guru in 1887

a

a few of the followers severed their connection with the Mutt in consequence of the Guru having admitted into caste a person who had connection with an out-caste woman, and on 28th January 1887 they made the petitioner Guru Siddeswara Swamy their Guru Pattada Guru. It is from this day that the original Mutt is being called Sirigere Old Mutt, while the petitioner's Mutt Sirigere New Mutt

3. Shortly afterwards Bhuga Veerappa and others belonging to the new Mutt applied on behalf of their Guru for a license to permit them to take him in procession to their houses. The disciples of the old Mutt having objected to this, Mr. Raghunathiah the then Sub-Divisional Officer and 1st class Magistrate, held enquiries, in the course of which the applicants stated as follows.

"They do not pretend to possess any moveable. They simply make the priest ride on a horse with ordinary tom-tom and music. They never even carry with them Chattra [illegible]

Petitioner

they would not call them Guru either as Swagam Swamy or Pattada Swamy, and they would not take him in procession before the old Mutt which is situated at the entrance of the village." Subject to these conditions a license was granted - vide Mr. Raganatha Rao's Order dated 18th March 1887 in Criminal Misc. Case No. 5 of 1887.

4 In April 1887 the followers of the new Mutt solicited permission to use Mena and Dempu &c. Vi along with the house when they took their Guru in procession. The then Amildar Mr. Varadarajayengar recommended the use of these insignia as he considered that they were ordinarily used by all. The then Deputy Commissioner granted permission to do so, if, as stated by the Amildar they were ordinarily used by people, and if it was a mamool for the new Mutt to use them &c - vide copy of Order No. 496 dated 12th May

May 1887. (Paper No. 169 in the file)

5. Thereupon, the Guru of the Old Matt brought a suit in the Munsiff's Court at Chitaldrug for an injunction against the Guru of the new Matt interfering with his disciples and property. One of the several complaints mentioned in the plaint was that the petitioner Gurusiddeswara Swamy of the new Matt moves in processions and goes about using the insignia and honors of the plaintiff &c. The relief sought for on this point was for a decree ordering the petitioner not to go in procession under his (Old Matt Guru's) name using his insignia. On this point the petitioner stated that he did not make use of any of the Old Matt insignia that had been using such common things as may be used by everyone. A decree was passed on the terms of a compromise proposed by the

Guru of the new Matt (petitioner) himself and assented to by the Guru of the Old Matt. That part of the decree referring to this insignia is that the Guru of the new Matt should not use the special insignia of the Guru of the Old Matt - Vide Judgment in original suit No. 95 of 1887, copy of which is attached to the appeal petition.

6. In 1888 the Guru of the new Matt applied to V. Amildar for permission to use Chamara and Appalagu. The Guru of the old Matt objected to it stating that he possessed decrees of Civil Courts of the then Judicial Assistant, Commissioner (now) Judicial Commissioner declaring in 1873 his right to possess the marginally noted insignia and that these decrees were in consequence of a dispute between him and the Swamy Matt of the Banavasi Dingayets in the Sirsi Taluk.

1 Patke
2 Mena
3. Kempuchi
4. Apthaki
5 Kalay
6 Chamar
7 Gaggarh
8. Yettinam
Nagara

7. The then Amildar Mr. Narainiyengar discussed the matter of insignias in his report of 4th May 1888 with reference to the decree passed in original suit no. 95 of 1887 on the file of the Munsiff of Chitaldrug and stated that if the contention of the Old Matt is good not only the permission applied for by the new Matt to the Gurus using Chamara and Apthagire should be refused but also the permission already given by the Deputy Commissioner in Kutcheri No. 496 of 12th May 1887 to use red umbrella and Abeda should be withdrawn.

8. Thereupon the Sub-Divisional Officer and 1st class Magistrate referred the Amildar to his order dated 18th March 1887 in criminal case No. 5 of 188- and stated as follows -

"I have already passed an order in the application of Chinjakerappa and others to the effect that the new Matt is entitled to use the procession without registering in the name of the

Ordinary priest does on festive occasions to his disciples' houses. I see no reason for altering that order" - Vide Order of 23rd May 1888 in criminal Mis. Case no. 52 of 1888.

9. On 8th August 1888 Chigatlenappa requested the Amildar, a license permitting the Guru of the new Matt to go on tour to certain villages of the Chitaldrug and other Taluks with the marginally noted Biradars &c.

10. Having entertained some doubt, whether Mena, red chatri, Apthagan and Chamara should be allowed to be used by the Matt, the Amildar solicited orders on the subject. The Sub-Division Officer Mr. Ragunatha Rao ordered that Mena, Kempu Chatri and Kale may be used by the new Guru as they do not come within the class of insignias and authorized the Amildar to allow the use of Chamara and Apthagan as well. From the enquiry of such people as are acquainted with the matter, he thinks that permission may be granted vide order dated

1. Music
2. Kalé
3 Sammela
4. Mena
5. Kempu Cha
6. Apthagan
7 Chamara
8. Two comm
Cart
9 One kantle
Jettoo
10 One Rifle
11 about 200
people.

dated 23rd August 1888

11. The Guru of the old Matt put in an applica-
-tion before the Munsiff of Chitaldrug praying
for orders specifying the special insignias
which are not to be used by the Guru of the new
Matt, but the application was dismissed as
the Pleader for the Guru of the old Matt asked
for permission to withdraw the same on the
idea of the Matt agent being unable to con-
-duct the proceedings - Vide Order dated 6th
November 1888 in Mis. Case No 254 of 1888 on
the file of the Munsiff - Chitaldrug, Copy of
which is attached to the appeal petition.

12. Since, then the Swamy of the new Matt had gone
to Holalkere in 1888 using Mena, Kempu-
Chatri, Kaike and Music The old Matt took
objection which was not accepted by the Amildar
as the new Matt had been authorized by the Ex-
Divisional Officer and 1st Class Huzurmakr
to use these insignias during the same year
the

the Swamy went to Shimoga similar objs were put forward The Amildar of that Taluk submitted the papers of enquiry for the orders of the District Magistrate Shimoga but nothing for him was heard From 1889 to 1905 the Swamy of the new Math does not seem to have gone out except on one occasion in October 1893 when he applied to the Extra Assistant Commissioner and 1st class Magistrate for a Parwana to go on a tour to the Davangere Taluk. This application was forwarded to the Amildar of the Bhadravathi Taluk requesting him to ascertain and report if there was any likelihood of the breach of the peace, if the request of the Swamy was complied with There are no records to show that the Amildar actually held local enquiry into matter, beyond his order to the Police to give protection to the Swamy during his tour.

13. On 13th February 1905, the disciples of the old Math represented to the Amildar

that

that owing to the death of the old Pattada Guru (Guru Sivalingaswamy) a few days back the intend appointing his successor on the 17th February 1905, and that the new Matt has with the object of molesting the old Matt arranged to make a Charanti Swamy on the same day, and solicited orders prohibiting the latter from doing so, as it is prejudicial to their caste, and from making use of Kempu Chattri and Abena.

14 On the next day i.e., the 14th February 1905, Chigatecrappa, agent of the new Matt requested permission to make a Charanti Swami on the 17th idem, and celebrate a procession afterwards and further prayed for a license regulating the day and time of the processions of the said Charanti Swamy and of the successor Swamy of the old Matt Chigatecrappa further requested that he might be allowed to make processions of the new Matt Swamy using Kempu Chattri Abena,

Mena, Kalay and music according to mamool.

15. The Amildar, after enquiry, stated that the old Matt is a long-standing one, while the new Matt came into existence only 18 years ago, that the agent of the old Matt has produced authority to show that though the Kempu Chattri and other articles are ordinarily used by any one they must be construed as special ones if they are used by the Guru or the priest of a Matt, and that if concessions are shown to the new Matt, it makes them presume that these rights have been recognized and this presumption brings about disputes between the 2 institutions

16. Thereupon on the 29th September 1905 an order was issued by my predecessor Mr Ramanuja Iyengar to the Amildar directing him to grant a license to the new Matt allowing it to use 1 Mena, 2. Kempu chattri, 3 Kale, 4. Samma alaand 5 Music, and at the same time also to issue

licenses

licenses to the 2 Boats after holding necessary enquiries into the existing manual and also regulating the routes by and the times at which precautions should be taken so that the Evening of one Boat should not go in front of the other. Vide order No. 372 dated 29th September 1905. Papers Nos. 26628.

17. Thereupon the old Boat filed a petition on 26th October 1905 praying for a review of the said order. The main grounds therein set forth are :-

(1) The new Boat is not an amended one as the old Boat

(2) As a form of the Boat, the Owners of the new Boat asks for permission to use insignias without formation and without regard to the distinction of them nor is a form and ordinary people.

3) The Sub Division Officer under Ghana Rules order dated 23rd August 1888 in front of the new Boat to use drums and the Chakri have illegal and unauthorised order principal

2

Mrs. Cases nos 5 and 52 of 1887 and 1888.

(4) The licences alleged to have been granted to the new Matt by the authorities were nominal and they were not effective on account of the objections raised by the old Matt.

(5) The new Matt has followers of only about 50 men excommunicated by the old Matt while the latter has more than a lac of disciples

(6) The Chief Court has held that special honors could be derived only under a Royal grant or a long prescriptive enjoyment and stated that there is a great distinction in the use of insignias by people on ordinary occasions and by Gurus of Matts. (Mysore Law Report Vol IX in 2nd appeal no 92 of 1886 and Vol XIII pages 168 in 2nd appeal no 29 of 1890 and in pages 124 to 127 in 2nd appeal no 55 of 1890)

(7) The insignias used by the old Matt are special for making its honor and dignity and they are the only symbols of honor for the said old Sadhu Lingayat Matt (Para 8 of Judgment

in

in 2nd appeal no. 60 of 1888-89 on the file of the Chief Court.)

(8) The present Swamy of the new Matt being originally one of the disciples of the old Matt, the use by him of any of the insignias in question is prejudicial to the dignity of the old Matt.

(9) The Swamy of the new Matt now calls himself Swamy of the Singere Paralabal Matt by which the old Matt calls itself, while he was calling himself before, Swamy of the Singere new Matt

18. Upon perusing the above and the evidence produced by the pleaders of the two contending Matts, a revised order was passed by my predecessor Mr. Ramanuja Iyengar on 21st February 1906, referring the new Matt to seek its remedy in a competent Civil Court and allowing the old Matt to use its long recognised insignias. (Vide Kannada Order No. 932 of 21st February 1906. Papers nos 29 to 32

19. There was thereafter [illegible]

the new Moath petitioned to the Chief Court praying for the revision of the above order. This application was dismissed by the Chief Court which stated that there was no reason to interfere with the District Magistrates order declining to grant a license till a decree or order of a proper court is produced - Vide original order dated 18th July 1906 in Criminal Revision Petition No 125 of 1905-06 on the file of the Chief Court in the accompanying file forwarded for reference (Papers Nos 161-166)

20. It is against the revised order (No. 932 dated 21st February 1906) issued by my predecessor Mr. Ramanuja Iyengar to the Amildar of the Kuttalam Taluk that the petitioner has now appealed.

21. The appeal petition and enclosures are herewith returned.

I have the honor to be

Sir,

Your most obedient servant

[signature]

District Magistrate

M E M O R I A L

of

Gurusiddeswara Swami of the Sirigere New Matt,
Chitaldrug Taluk.

Subject:-

Against the order of the Deputy Commissioner directing the Memorialist to establish his right to certain insignia in a Civil Court.

To

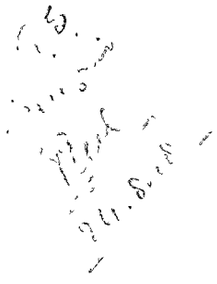
His Highness

Sri Krishnarajendra Wodeyar Bahadur, G.C.S.I.,

Maharaja of Mysore.

May it please Your Highness

I, the undersigned Gurusiddeswara Swami, on behalf of the Sadhu Lingayat Matt known as the Sirigere New Matt in the Chitaldrug Taluk, most humbly beg to approach Your Gracious Highness with the following prayer.



2. The Sirigere New Matt was established about the year 1885 at the desire of several Sadhu Lingayat residents of Sirigere and the places round about, and I was -- invited to accept the headship thereof. The Matt acquired privileges from time to time from the local authorities in the matter of uring insignia on public occasions. As time went on and the disciples of the Matt grew in number, the Matt got permission to use such common birudus as were considered unobjectionable by the local authorities. It must be mentioned that I am the disciple of the Guru of the Sanebalii Matt which enjoys the eight birudus of Mena, Palaki, Pempuchatri, Mahale, Chamara, Aftagiri, Gaggara-kattige and Nagari. Also that I have travelled through the Dharwar District and visited my disciples there, with all the above insignias. In the Mysore Province, I used to -- apply for a lic nse and when in 1905 I applied to the District Magistrate of Chitaldrug for a license to go in procession with the above insignia, my application was as --

usual,

usual, opposed by the other Sadhu Lingayat Matt at Sirigere which is known as the Sirigere Old Matt. The District Magistrate (Deputy Commissioner) who had at first passed an order permitting me to use certain insignia, on a reconsideration cancelled his previous order and directed me to establish my right to the insignia in a Civil Court. On this order I appealed to Government in the Muzroi Department. The case was heard by the Second Member of Your Highness' Council about May 1907, in the presence of all the parties concerned, but to my misfortune, final orders have not as yet been passed.

Before going into my own claims I beg leave to briefly submit certain facts connected with the Sirigere Old Matt, my rival in this case. This Matt got its title to the use of the insignia in question, not by any Royal grant or sannad nor by any Order of the Executive Government, but by a Decree of the Judicial Assistant Commissioner in the year 1872. In this case, the Old Matt was opposed by several influential disciples of the Murugi Matt. But the learned Judicial Assistant Commissioner accepted the argument of the Old Sirigere Matt that the insignia in dispute are of a nature as could be used even by private persons on occasions of marriages, and that every one had a right to go through the public streets as he liked, provided there was no infringement of private rights. On such broad and liberal principles the right to the use of the insignias was declared in favour of the Old Sirigere Matt as early as the year 1872. Nearly 40 years have passed since then and education has increased and mens' ideas have changed for the better. With increased education, a spirit of tolerance and equality has been showing itself in the actions of men all round. But it is my peculiar misfortune that all these good effects of the advance of the times could refuse to benefit me and me alone.

That the Old Sirigere should have failed to meet with the approval of a great many of its disciples was no fault of mine. The extent of the displeasure with which the Old Matt was viewed by the Sadhu Lingayat community may be imagined when it is seen that the following of the new Matt exceeded 10,000 within a couple of years. As I said before, I, a disciple of the Sanehalli Guru was invited to preside and it will not be supposed that I did anything wrong in accepting the position. I must submit to Your Highnes that I made the best use of my opportunity and although my disciples were mostly poor agriculturists and my income small, I maintained a little school where poor students were given free food and education. But the Old Matt began its war against the New Matt and never failed to take advantage of an opportunity to give me trouble. And as luck would have it, the Old Matt was never lacking in funds to spend in litigation. Of late the Matt became aggressive and began to drag the New Matt into the Civil and Criminal Courts. Thanks to the local authorities, I was not allowed to be ruined.

But this delay on the part of Government in disposing of my appeal petition has caused me irrepairable loss. The Old Matt's cause has been thereby unconsciously helped. Since 1906, the date of the Deputy Commissioner's order I have not been able to go my rounds, my income has suffered, and I have had to close my school and feeding. My rival with his ample resources has spread all evil --- rumours about me, that I have been degraded from my position, and many of my disciples, who are illiterate, have been induced to abandon me. In short I have reached the end of my resources and any further delay in passing orders even if favourable to me, will be like bringing food to a starving man after life has become extinct.

With the above brief account of my case I beg to

lay before Your Highness a few points for Your Highness' gracious consideration.

The contention of the Old Matt that the insignias I claim are exclusive to itself are based on the grounds that it received them by a decree of a properly constituted Court of justice; that that Matt is the sole religious head of the Sadhu Lingayat community; that I and my disciples are subordinate to it.

But the Old Matt itself obtained the insignia in 1872, not by any sannad or other documentary evidence proving such exclusive right, but on the ground that the articles were ordinary birudus that could be used by even private persons.

It has not also been proved by the Old Matt that it is the sole religious head of the Sadhu Lingayat section (vide the Old Matt's petition presented at the hearing.) There are several Sadhu Lingayat Matts in the State, such as the Balkurke Matt, the Sanehalli Matt, and my own Matt. There are all quite independent of each other, each with its own circle of adherents. It may also be noted that a a great many of the Sadhu Lingayats adhere to the Murugi Matt.

If the Government is disposed to respect the decision of the Judicial Assistant and the principles inunciated therein, the same broad principles should be more easy of application after the lapse of nearly 40 years, for has it been proved that I am less deserving.

The New Matt also does not lay its claims to the insignia by virtue of any Royal grant, but only on the same general principles that were applied to the question in 1872. Should the Government think that the principle was wrong, it ought to undo the order and pass fresh orders as would suit their present views, and apply them equally to both the Matts.

On the contrary, if the Government should make any differentiation, not only will I be ruined, but the Government will be lending color to the contention of the Old Matt that it is the sole head of the Sadhu Lingayat community. The Old Sirigere Matt has already put an application before Government against the Sanehalli Matt using certain insignia. There will thus be many petty disturbance in the community and these will affect the social equilibrium far more seriously than the Government is now aware of.

I therefore beg that Your Highness may be pleased to consider the entire records and the opinion of the --- several local Officers and Members of Government and pass just orders.

For which act of grace and justice, I and thousands of my poor raiyat disciples will ever pray for Your Highness' long life and prosperity. I further humbly beg that all mistakes in the composition etc., may be graciousl overlooked and attention paid only to the matter and not the manner, in which this humble petition is written.

I beg to remain,

Your Highness' humble and loyal subject,

ಶಿವಮೂರ್ತಿ ಶಿವಯೋಗಿ

ಶಿ24/8/08

To

H. H. Sri Krishnarajendra Wodayar Bahaddur, G.C.S.I.,

MAHARAJA OF MYSORE.

MAY IT PLEASE YOUR HIGHNESS,

That the loyal Lingayat subjects of Your Highness including Sadars and Nonabars most humbly beg leave to approach Your Highness with the following grievances of theirs.

I. That the Veersaiva religion was founded by five Acharyas, namely Renukacharya at Balehonnur in Kadur District, Marulacharya at Ujjaini in Bellary District, Panditacharya at Shrisaila in Carnool District, Viswacharya at Benaras, Yekoramacharya at Kedar in the Himalayas; that these five Acharyas are subjected to the general control of Shriman Niranjan Jagadguru Murga Rajendraswami of Chitaldrug.

II. That there have been thousands of mutts in Mysore and other parts of India, which are subordinate to the one or other of the above Simhasana mutts, and that these branch mutts have for convenience been located in several parts and exercise local Jurisdiction with the authority and permission of their respective principal mutts.

III. That the memorialists including Nonabars and Sadars of the Lingayat community as a whole are the disciples of the one or other of the five Acharya mutts and necessarily of the Shri Muragarajendra Mutt at Chitaldrug, that the Community may be broadly divided into two classes of Bhaktas and Jangamas, the members of the latter section alone being entitled even to this day to be chosen as Gurus of their mutts, and that Nonabars and Sadars belong exclusively to the class of Bhaktas.

IV. That it has more than once been expressly decided by Your Highness' illustrious grand father, that the Sadars and Nonabars have no right whatsoever to occupy the seat of a Guru, being as they have always been a class of Bhaktas; and their attempt to create Gurus in their own sect, was put an end to, by a Circular Order by Your Highness' illustrious grand father, which facts are borne out by public records.

V. That during the days of the English Commission in Mysore one Shivalingayya, a native of Shirigere in Chitaldrug Taluk, and a member of the Sadar Sect, was turned out of the mutt for misconduct, and he, out of spite and

in a spirit of defiance went about calling himself a Guru and collected around him a few of the Sadars and induced them to become his disciples. That when he went about in Channagere Taluk using some of the honors of our Simhasana Mutts, he was promptly ordered by Mr. McLeod, the then Divisional Superintendent of Nagar, not to use those insignia on the ground that he had been precluded from becoming a Guru. That after some time he began again to assert his spurious rights in the Hosadurga Taluk, which was also stopped by the orders of the Deputy Superintendent Mr Krishna Rao in 1870, and that on an appeal to the Chief Commissioner in 1872 the order of the Deputy Superintendent was upheld inviting reference to the orders of His Highness Sri Krishnarajendra Wodayar Bahadur III that he (Shivalingaya had no pretence to priesthood.

VI. That Shivalingayya had then recourse to Civil Court calling himself a Guru of one Shirigeri Mutt, and obtained a decree against one Shetti Rachappa and Parpattegar Baswalingappa to the effect that on general principle every one has a right to go in public streets with some specified insignia which are enjoyed by the Simhasana Mutts That on the authority of this Civil Court decree he seems to have obtained licenses from Magistrates and used the honours of the Simhasana Mutts in some insignificant Villages not frequented and hence unnoticed by Simhasana Mutts. That following the example of this Shivalingaya, one Gurusiddaya set up a new mutt called Shirigeri Hosa mutt, and on the strength of the decree obtained by the old Shirigeri Mutt he also seems to have obtained licenses to the use of insignia referred to above.

VII. That the Memorialists most respectfully beg to submit that the order of the Civil Court is *ultra vires*, such authority to order the use of insignia being purely within the jurisdiction of the executive Government; that while there are previous orders of the Government establishing the rights of Shri Murgarajendra Mutt and Balehonnur and other Simhasana Mutts to certain insignia, the claim of the Shirigere old and new mutts to use some of them which are the honors and privileges conferred only by Royal grants, cannot now be based on the decree of a Civil Court.

VIII That the Ayya of the so called Shirigeri old mutt applied to the Bellary District Magistrate last year for the use of insignia which was opposed by the Ujjaini Simhasana Mutt; and the District Magistrate dismissed the application saying that as already ordered he should first establish his right to priesthood before applying for license to use any insignia

IX. That moreover a third person by name Gurupadaya of the same Sadar Sect, and a native of Sanehalli, has been lately encouraged to follow the example of Shirigeri Mutts by a license granted by the Assistant Commissioner of Kadur District without enquiry into the existence or otherwise of the Royal grant to the use of honors. That the memorialists therefore humbly and most respectfully beg Your Highness to issue orders to all executive officers, not to grant such licenses unless the rights of the claimants are based on the Royal grant; otherwise licenses will be mistaken to have the effect of creating rights which a Royal sannad alone can confer.

X. That these new Mutts have not only been defying the very fountain He
of their spiritual authority the Murgarajendra Mutt, but are also pretending to
entitled to certain honors which are enjoyed exclusively by the Simhasana Mutt
that the majority of the Sadars and Nonabars whom these rival Mutts pretend t
represent, do not pay any homage to these newly set up Mutts, but are firmly
devoted to their principal Mutts.

That these heretical Mutts have a most disturbing influence on the
ignorant and credulous members of the community which is most uncongenial to the
steady growth of spirituality, and therefore the memorialists most humbly and
respectfully pray that the Shirigeri and Sanehalli Mutts be ordered not to use any
insignia, as they have no right even to priesthood in the first place.

For which act of graciousness the members shall, as in duty bound ever
pray for your Highness' long life and prosperous reign.

Date, 20/8/1908

Your Highness'
Most Loyal Lingayat subjects,

Purport of the arguments

adduced by the Advocates

on behalf of the Muruga,

Balehalli, Ujjani, new

Sirigere and old Sirigere

Mattu

Submitted.

The 2nd Commissioner was pleased to hear the Agent of the Murunji Matt today. (17.2.19)

The Agent stated that in the Chitaldrug District there were about 20000 persons belonging to the Sadru lingayet community, in the Shimoga Dt. there were about 15000 & in the Kadur Dt. there were about 15000 and that about 14 in every 16 of such persons were the disciples of the Murunji Matt. It was also stated that the Mutt [illegible]

had about 2 or 3 thousand families of the Sadhu Lingayet persuasion as its disciples in this State & that ~~he~~ there are no disciples of that mutt in the Madras & Bombay Presidencies & that the Swami of the mutt is not allowed to go in those parts as Swami.

The Agent also said that there were Nonabars who have a mutt in Sodekere (Chickanaikenhalli Taluk) & in Thammadihalli, & that Nonabars in the Chitaldrug Dt. were the disciples of the Murugi mutt.

The new Sirigere mutt was

stated to have about a thousand
disciples among the Sadducees

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Muzrai Secretariat. | File No. of 190

Purport of the arguments put forward before the 2nd. Councillor by the Advocates on behalf of the matts.

The case was heard on the 17th. and the 18th. July 1907. The following Advocates were present on behalf of the Matts noted against them:-

~~Mr. Dorasami Iyer representing the Ujjini Matt.~~

Mr. D. Venkataramayya — Do. ——— Sirigiri New Matt,

" S.V.Ramaswami Iyengar Do. ——— Sirigiri old Matt,

" S.Narayana Rao — Do. ——— Turiri, and

the Balehalli Matts.

Mr. Dorasami Iyer who appeared on behalf of the Ujjini Matt, was informed that he had no locus standi in the case, as he had not presented any petition on behalf of his Matt. He therefore submitted a petition together with a Vakalat dated the 17th. July 1907, In the petition it was stated that the new Sirigiri and the old Sirigiri Matts had unauthorizedly and illegall

(2)

assumed the designation of " Ujjini Saddharma Simhasana Peeta " a designation which was applicable solely and exclusively to the Ujjini Matt; and that the Sirigiri Matts were not entitled to the insignia claimed by them, as there was no Royal grant enabling them to use these distinctive badges of honor. It was therefore prayed that the Government be pleased to issue an order restraining the Sirigiri Matts from using the appellation aforesaid, or the insignia which they claimed.

6. D.Venkataramayya's contention was that the Pattada Iyya of the Sirigiri New Matt, known as " Murasiddappa " was not a disciple of the Sirigiri Old Matt as alleged by that Matt, but that he originally belonged to the Gaudagalli Matt in the Hosadurga Taluk and subsequently, in the year [illegible], became the Iyya of the Sirigiri New Matt, which was established prior to 1887 under the circumstances explained in the Kannarese printed memorandum attached to the petition as an exhibit (No. VII)

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Muzrai Secretariat. | File No. of 190

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The Advocate further stated that the Guru of the Sirigiri old Matt brought a suit against the Guru of the new Matt in 1867; that it was decreed by the Dursiff of Chitaldrug Mr. M.A. Tirumaramma char in O.S. No. 95 of 1887 among other things that ordinary insignia might be used and that there were no records to shew what special insignia belonged to the old Matt. In paras 17 and 19 of the Judgment of the Dursiff it was stated that "the plaintiff, would be satisfied with a decree declaring that defendant should not use the special insignia of the plaintiff" and that there would be therefore a decree drawn up in the above terms.

It was further pointed out that appellants petition (No. [illegible] of 1908) was [illegible] the head of the old Matt in the Dursiff's court at Chitaldrug in 1868 to which the decree in O.S. No. 95 of 1887 referred to above,

(2) (4)

File No. of 190 | Muzrai Secretariat

that it was dismissed by the same Munsiff on the 6th. November 1888 it having been withdrawn by the plaintiff's Pleader with the permission of the court.

It was also argued that the previous Deputy Commissioner had passed an order No.436 dated 12th. May 1905 in favour of the New Sirigiri Matt, that the Deputy Commissioner Mr. Ramarujiengar who had acted passed an order on the 29th. September 1905 allowing the use of Vira, Kempu Chatrige (slip P) had no power to review the order of his predecessor, and that in his 2nd. order of the 21st. February 1906 the Chief Court's decision in the second appeal No. 50 of 1898-99, which was in favour of the Sirigiri old Matt (and not the Muriqi Matt) ought to have been referred to, as the new Matt was no party to it. In conclusion he stated that the new Matt had 2 or 3 thousand disciples, that a license was granted to it in 1868 and 1896 authorizing the use of the insignia in question, and that any other Matt

(This has not produced by either the party)

should have therefore no objection to its (New Matt) using them now as per manul.

Mr. S.N. Ramaswami Iyengar, Advocate on behalf of the Sirigiri old Matt, urged as follows:-

As regards the claim of the Sirigiri new Matt to the insignia in question he stated:-

That the institution was a part and parcel of the old Matt;

That the plaint in O.S.No. 95 of 1887 as well as the decree might be referred to in the matter of the new Matt not using the insignia in question;

That the withdrawing of the suit then was with the distinct understanding that the new Matt should not use the special insignia of the old Matt;

That the District Magistrate's order No. 490 of the 12th. May 1887 was only conditional (because it was stated therein that if it was

(6)

usual and mamul to everyone using red umbrella, menta
c, there was no objection to the Guru of the new
Matt (sic: the)

That Mr. Raghunatha Rao's order of
1888 was stringent about ordinary and special insignia

And that the Amildar of the Chenna-
-giri Taluk, who was stated to have allowed the use
of the insignia by the New Matt, simply allowed it
to go back with the said insignia in 1888 and did
not allow it to proceed further with the insignia in
question.

As regards Mr. T.Venkataramayya's
objection in the matter of Mr. Ramanujiengar having
unauthorizedly interfered with the order of his
predecessor (issued in 1887) the Advocate stated that
the order of 1887 was only provisional and it was
temporarily given in emergency to preserve public peace
and that Mr. Ramanujiengar was therefore correct in
having decided the case by reviewing the said order.

Muzrai Secretariat. | File No. of 190

It was therefore pointed out by the Advocate that the Chief Court on a criminal revision Petition No. 125b of 1905-06 between the New and the Old Matts, reviewed the order in question and declined to interfere with that order.

As regards processions and the use of insignia, the Advocate referred to the principles laid down in the Government Order No. 109/D.H.C. dated 27th. February 1893 and the Chief Court Order in the 2nd. Appeal No. 60 of 1898-99 (The principles referred to in the order of 1893 are:

(1) Strict conformity to the manul or long usage.

(2) Punishment of those breaking the manul.

(3) If the ruleof manul could not be ascertained, the same should be established by decree of a competent Civil Court, pending which decree, the parties should abide by adinterim

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(8)

order of the local Magistracy.)

(The Chief Court decision of 1898-99 was cited to shew that the Govern ent is the source of all honors and may permit their use by whomsoever they choose and that the executive Government may punish the usurpersof such honors)

The Advocate concluded by stating that the honorific use of Chatries &c by the new Patt sho ld not be permitted, that the Patt should have resorted to a competent Civil Court to establish its right to the insignia in dispute; he prayed therefore for the dismissal of the present Appeal by that Patt.

Mr. S. Aragoda &c, Advocate on behalf of the right Patt and the Pelchalli Patt argued as follows:-

(1) That honors or insignia must have been created by some one.

(2) That sovereign is the source of

Muzrai Secretariat. | File No. of 190

all honors, which e said were not "properties" and as such no length of time of their use would confer any right.

And (c) That Civil Courts cannot create title to se cry insi ria and the decrees are not therefore binding on overnment.

In support of the above statements he quoted

(1) ... Weekly Reporter of the Chief Court page ..

) Th ... Government Order issued in the Muzrai Department directing the stoppage of the ...uri i ...att's Masdik.

(3) ... Government Order No. 3847-5 / ...: ... of 1 ... dated ... 1...

( ) ... order's Indian ...

) ... Order No. ... dated ...

... under the proceedings of the Revenue ...

... Order No. ...-1 / -... dated ...

(10)

File No. of 190 | Muzrai Secretaria

28th. November 1894.

And (7) The Chief Court decision in the 2nd. Appeal No. 60 dated 1898-99. He further stated that His Highness the late Maharaja Krishna Raja Wadeyar Ba adur III prevented the establish--ment of the new atts; that subsequentlyconflict--ing orders were used to be passed during the British Administnation, holding as they did that public roads were free tobe used by any one; that the origin of the title of the Sirigiri Old or New Matt to the insignia in question should be examined; that which had no origin should not be recognized by Government; that the two Matts, who might have illegal origin were not entitled to any insignia; that the Murigi att was no appellant in the suit referred to by Mr. Ramaswami Iyengar, but only the att's Sadhu disciples, who had no status; and that the Matt did not take any action . When questioned as to why the Murigi Matt allowed the

insignia by the old Sirigiri Matt allalong , the Advocate replied that the former had been protesting and that the title of the latter Matt had been negatived in 1838 , 1864. 1873 and 1899. Mr. Melord's Order of the 15th August 1838 was also referred to by him.

(Superseded by Vacancy Rule B)

Mr. Dorasami Iyer on behalf of the Ujjani Matt argued as follows:-

that the Muragi Matt was the head Matt with the marginally noted 4 Institutions as its branch Matts (In this statement he was contridicted); that the Sirigiri old Matt had unauthorizedly assumed the title of "Ujjani Sadharma Simhasana Peeta", which solely belonged to the Ujjani Matt, that it was using the insignia not specially conferred on it by any Sovereign power He quoted the instance of the Universities conferring Titles &c and went on saying that the power of conferring titles or granting insignia rested

Ujjani Matt
Parwata Matt
Balehalli Matt
& Kasi Matt

(12

File No. of 190 | Muzrai Secretari

solely with Government to which the powers are delegated by the Sovereign and that the powers of the Civil or the Criminal Courts come in only for validating the honors already conferred.

In reply to the arguments brought forward by Messrs. S. Narayana Rao and Dorasami Iyer Mr. S. N. Ramaswami Iyengar stated that the Sirigiri Old Matt was not of such a recent origin as was supposed by the Muragi , Balehalli and the Ujjani Matts; that it was of about 100 years old that there were 8 Gaddiges belonging to the Old Matt thereby shewing that there were 8 Gurus who were the predecessors of the present Iyya, succeeding one after another in regular succession; and that the present complaint was not either from the Muragi Balehalli or the Ujjani Matt but was only from some Sadhu Lingayets or the disciples of those Matts.

As regards the Sannad of 1812 quoted by the Muragi Matt, he said that it only directed the

Muzrai Secretariat. | File No. of 190

Mamul to be observed but that what the Mamūl was and what further orders were passed subsequently and what were the Matts therein referred to were not known. He further stated that Mr. ~~Meloid's~~ Order of 1838 was no Sannad or Magnacharta and that from even that order as well as from the Shaha Amal of 1825 it might be concluded that Sadars and Nona bars were trying to establish a Matt of their own. He also stated that the Chitaldrug District Magis trates order of 1870 having referred the old Siri- giri Matt to Civil Court to establish its right ~~to~~ the Matt filed a suit in the Judicial Assistant Commissioner's Court in 1873 and obtained a decree ~~on the~~ in 9th June 1873 ; that the Decree was confirmed by the Divison Commissioner of Nagar and the Judicial Commissioner of Mysore on the 31st December 1873 and 26th May 1874 respectively; and that there were again litigations between the Matt and some of the Balehalli &c Matts in the Munsiff's Court at Chital -drug

not forthcoming

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File No. of 190 | Muzrai Secret

in 1896-7, in the District Judge's Court of Nagar in 1898-99 and the Chief Court in ~~1898-99~~ 24th January 1902 and that the Sirigiri Old Matt gained the day. He also brought forward the argument that the interested Matts have not come forward in the present instance, that royalty cannot ignore the right conferred or created by its own Officers and that the circumstances present are quite different from those existing about 50 or 60 years ago.

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R (Suit no 20-

He referred to the Government Order of 1894 regarding the processions &c and stated that though there were no Sannads, yet there were Civil court decrees and the Mamul enjoyment of the insignia since 1873.

As regards the contention of the Advocate on behalf of the Ujjani Matt Mr. Ramaswamiengar stated that the old Sirigiri Matt had not assumed the title of " Sadharma Simhasana " and said further that even supposing that it assumed the title in question,

etymologically there would be no objection. But here he was contradicted by Mr, Dorasami Iyer who read a Srimukha which had been issued by the Old Matt, in which it was distinctly stated "ತಮ್ಮವರಾದ ಮಧ್ವರು ಸಂಪ್ರದಾಯವನ್ನು" and ಶಂಕರಾಚಾರ್ಯರು ಮಧ್ವರಾದ ತಮ್ಮವರಲ್ಲ" ——

As regards the authority of the Govt. order quoted by .the Advocate of the Muragi Matt viz, the Governm nt Order of May 1907 regarding the claim of Addapalaki by the Kudli and the Muragi Matts Mr. Ramaswamiengar pointed out that the chief reason assigned in the order for not ~~containing~~ timing the Addapalaki honour to those Matts was the non use of the insiginia by those Matts for about 50 years.

Mr. D. Venkatramaiyya on behalf of the Sirigiri New Matt read the histor of the origin of that Matt and stated that that Matt was no party to the case heard and decided by the Chief Court in 1898-9 and quoted

(16)

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File No. of 190 | Muzrai Secretariat.

(i) The Madras Law Journal No.I page 240of April 1907 containing the Privy Council decision. He concluded by saying that as the New Matt had been in the uninterrupted enjoyment of the insiginias since 1887, the Government could not disturb it at this distance of time.

The above are the arguments brought forward by the respective Advocates.

Summons had been issued to the petitioners and the witness cited by them, but their examination was found unnecssary, as the Advocates re - presented everything on their behalf.

The petitioners on behalf of the Mudagi and the Balehalli Matts stated that the Chief Commissioner issued an order No. 8 dated the 20th September 1872 on the subject of the insignia claimed by the Sirigiri Matt. The papers received from the Venacular records of the General and Revenue Secretariat are put up.

Bangalore
15th October 1907.

From W. D. Arris Esqr
Collector
Bangalore
14.10.07

To
L. Ananda Rama Rao B.A.
Secretary to the Govt
of His Highness the Maha
Rajah of Mysore
Mysore
Bangalore

Sir

Referring to your No 1496 dated the 11th September last forwarding for my information a copy of the Hon'ble Deputy Commissioners letter stating that that the Nirnaya referred to by me had not been produced in the case quoted by me in my letter of the 7th Aug last, I have the honor to enclose a certified Copy of the Nirnaya since obtained from the Deputy Commissioners Records

2 You will please note that this Nirnaya is a final determination by His Highness the late Krishna Raja Wadiar of the question raised in the Nirnaya produced on behalf of

of

Received no Confn.
19-10-07

కర్ణాటక భారతి

శ్రీ కృష్ణరాజ ఒడియరవరు.

చాళిక్యవినంవత్సరద ఆషాఢశుద్ధ పంచమియందల్లి శ్రీమద్భ
ీమద్బుజబల నిధియ్య నిండా నినద మూర్తానుశీలగళు తొల్లిన
మరద చిచ్చద శివబుసవన్నామగళ కరకమల సంజాత శివనం
జుండ న్నామగళవర చొంగాలి చిక్కోడ్డి దివ్వవ చన్న ల్లక్ష బ్రోంబత్తై
మి గళవరిగే బరసికొట్ట నిరూపి అవాగి నవ్వు చిరశ్రీవమశద
ళ్ళనింన్థినన్న శ్రీశద మిల్లా కాల్లుమగళల్లి మూనవ్వు శిక్ష్యరు
గుం చిక్కరళ్వాద మ్లోమ్మ మిమవరచ్చరింద కాల్లోమ్మె గళ్ళిల్లి
నవ్వు చరచిరంచు నంతోరి నివకాలవల్లి థాగలవాడి కాల్లోమ్మెవనెబి
యల్లి మిలుపవబ్రాహ్మణరు వేళ్భరు మోదలాద చిరమశక్తిరునవు
అనాది యాగి నడవుబంపు మిమవ చిల్లక్షి, చోరి, చక్రి, చెళ్ళకే
మిక్షి నమిల్లేనగాని, కాళ్ళి, చేవగ్గేరి చిరిమగళ్ళ నవుగే అనా
నిద్ధాంతవాగి నడి యుశ్శా ఇమవరిగూ, బుంపు ఇచ్ఛంథా చున్న థిశియు
మోడదిందు రకరకారు మూడి మిల్లాక్షియిందు కావు పజూరు మాయ
ము అరితేమాడిచ్చరిందర రవుమర అనాది యాగి మథాక్షరువా

నమాడిద న్నళ్ళవాచ్యరిందవ
గి నెరవన్ కాచ్యరిందవ మిల్లి
చ్చరివనినవ్వు నెంకోక్షిదిం
కోచ్చిరువవరిందవ చేకాళ్ళ
ఆ చుంబ్రాళ్ళ తీర్థంకర నైవ్వు
యూ నవరిల్లిరువవగళ్ళ బుధన
రమోంమ అధ్ధిల్లి మిల్ల మోదు
నడవు కోళ్ళవాము బళ్ళోళ్ళ
ఆలనవి బళ్ళ నుబ్రాళ్ళు మున
గి నడవు కోళ్ళనామరు జు

దరమిల్లి లేరావు ఆచారవిచారా
కేమువ చిరమగళ్ళన్న

కొత్తి కాలు తో మాడి వరకొల్లలు. 4-10 1910

— ది —— రెయూంద —— ది ——

కొంచు కొల్లలు —— ది ——

మాదిన రసంబ్స్ —— 140

నత్తలు రుసుం —— 0—2—0

కొంచాలి రుసుం —— 0—0—4

1910.

"True Copy"

Deputy Commissioner
Kadur District

Calligrapher
4/10/1910

(171)

Page ( )

Muzrai Secretariat	File No.	of 190

GPB—3,000—22-6 06

(18)

File No. of 190 | Muzrai Secretariat.

DO Correspondence in re
further information called for

Draft as per Cr's order.

D. O.

To

The Deputy Commissioners

of Chitaldrug, Shimoga & Kadur Dts

Copied & Sent off
29. 12 07

Dear Sir,

The Sringere New Matt with its Head Quarters near Chitaldrug has appealed to Govt laying claim to certain insignia which are objected to by the Sringere Old Matt and the Murugi and other Matts. For the disposal of the appeal, the Govt wish to have an idea of the following of each of the above mentioned Matts of the Sadhu Lingayet persuasion. I shall therefore feel much obliged if you will kindly let me know at your earliest convenience what is the population of the Sadhu Lingayets in your District, and what proportion of them are Disciples

as you are aware (in the case of the Chitaldrug Dt. Deputy Commr.).

(1) of Bengal Matt (2) of Surgere Matt and (3) of Surgere New Matt. No elaborate statistics enquiries are necessary; approximate information obtained in reliable sources will be sufficient. The favour of a very early reply is requested.

Yours faithfully

24/12/07

To, D.O.

The Dy: Commissioners of
Shimoga & Chitaldrug Dts.

Jany 1908.

Sir, My dear Sir,

In inviting attention to this Office D.O., dated 29th December 1907 calling for ~~early compliance of~~ a Statement shewing the population of Sadhu Lingayets in your Dt. who are disciples of (1) Murgi Matt (2) Sirigere old Matt & (3) Sirigere new Matt, I ~~have the honor~~ am to request that you will be good enough to submit the report called for at an early date.

Yours sincerely
31/1/08
Secretary
Mysore dept.

30/1/08

Sent off
D.O. 31/1

Chitaldroog
15 2·08

My dear Sir,

With reference to your D.O. dated 29th December 1907, I beg to state that I gather from the reports received from the Amildars that the Sadhu Lingayet population in this District is distributed as follows —

42,100 belong to the Murge Matt
38,600 belong to the Sirigere old Matt
8,700 belong to the Sirigere new Matt

The figures given above are only approximate.

Yours Sincerely
[illegible]

Rect 17/2/08.
Placed in File
& continue Office Note
EA 17/2

To
A Ananthasamy Rao Esq B.A.
Secretary to the Govt of Mysore
Judicial Department

Rec'd 6/2/08
Place in
the File Cover

Shemioga
4th February 1908.

My dear Anantarama Rao.

In reply to your
D-O of the 29th December 1907, I
beg to forward herewith a
Statement showing the population
of Sadhu Lingayets in this
District who are disciples of
the Murugi, the old Sirsigere
and the new Sirsigere Matts.

The reports from
the

the Shimoga, Sagar and Shikarpur Taluks have not been received, but approximate figures ascertained from local enquiry have been given.

Yours Sincerely
M. Narain Rao

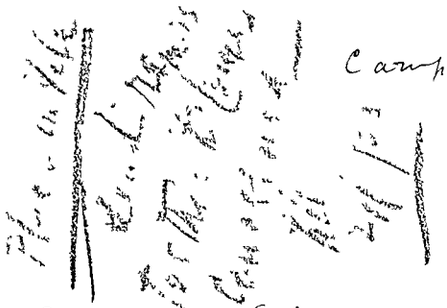
L. Anantaswami Rao Esq B A,
Secretary, Muzrai Deptt.

Lingayat population and the
of Sadhu Lingayats who are disciples of (1)
Math (2) Siragere old Math and (3) Siragere new Mths)
att in the Shimoga District

No	Taluk	Total Lingayat population	Sadhu population	No: of Sadhu Lingayats who are disciples of			
				Murugi Math	Siragere old Math	Siragere new Math	
1	Shimoga	18616	2000	1800	200		Report not received, the figures are approximate
2	Shikarpur	28349	12500	8000	4000	500	
3	Honnali	23602	15000	14850	150	"	
4	Shikarpur	21420	500	300	-	-	
5	Sorab	13294	6000	5700	200	100	
6	Sagar	3742	"	-	-	-	Report not received
7	Nagar	4056	"	-	-	-	
8	Tirthalli	1485	6	6	-	-	
	Total	114564	36006	30856	4550	600	

Shimoga
4th Feb/08

Surkaranii Rao
Dy Commr
Shimoga Distt



Camp Jedaha Valley
26th January 08

My dear Sir

With reference to your
letter 29th inst. asking for a
statement containing certain
information about the Sarthu
Kurmi population in the
different Tahsils in Partabgarh

I beg to enclose herewith

a statement containing
the required information
as furnished by the Assured

I remain
Yours truly

Enclosure

A Chartered Accountant
Partner Secretary

Statement showing the population of Sadhu Lingayets &c in the Kadur District.

Serial no	Taluk	Population of Sadhu Lingayets	What proportion of Sadhu Lingayets disciples of Murugi Matt. (Chitaldrug)	What proportion Sadhu Lingayets disciples of the new Sirigere matt. (Chitaldrug)	hat proportion of Sadhu Lingayets are disciples of old Sirigere	Remarks
1	Chikmagalur	3,264	44	352+	2,005-65	Out of 3264 Sadhu Lingayets, 863 are ported to be disciples of Yelehanklu in the Belur Taluk. It is also that some persons, about 1261 in do not make any distinction between and old Sirigere matts. It is reported that there are no Sadhu Lingayets in this Taluk.
2	Mudgere		-	-	-	
3	Koppa	47	47	-	-	These are reported to be the disciples of the 16 matts but paying 'Kanike' &c to the Murgi matt at Chitaldrug.
4	Yedehally (Sub)	3	3	-	-	
5	Kadur	150	75	15	60	[illegible] are reported to make no [illegible] matt [illegible] is more correct to [illegible] under the [illegible] Hence [illegible] and the same must also subtracted [illegible]
6	Tarikere	3,020	2,265	323	432	
	Total	6484	2,434	690	2,497	

Dated camp Yedehally
26th January 1908.

E&S Srinivasacharlu
Deputy Commissioner,
Kadur District.

Chikmagalur,

1st January 1908.

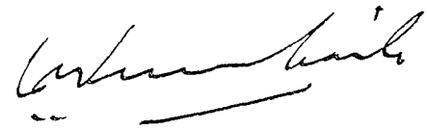
My Dear Sir,

In reply to your D.O. letter of the 29th Ultimo re collection of statistics about the Sadhu Lingayets, I beg to state that the Lingayet population is scattered all over the District, and I have therefore sent copies of your D.O. letter to all the Amildars and the Deputy Amildar and asked them to collect approximate information themselves from reliable sources on the several points raised in the said letter and submit a statement in 3 days.

I shall forward the required statistics relating to this District as

soon as I receive replies from the Amildars which I shall see I shall secure without much delay.

Yours Sincerely,



To

L.Ananthaswami Rao Esquire, B.A.,
Secretary to Government,
Muzrai Department.

(Revised draft as per instructions)

Read

Petition regd.No.3328, dated 8th January 1907, from Gurusiddeswara swami of the Sirigere New Matt, appealing against the order of the Dy. Commr. of the Chitaldrug District, dated 21st February 1906, declining to grant a license to the Swami to go in procession with certain insignia until he established his right to them in a Civil Court.

(2) Petition Regd.No.4257, dated 16th March 1907, from Sivalingappa, Agent of the Sirigere Old Matt, opposing the above application of the New Matt.

(3) Petition Regd.No.5142, dated 13th May 1907, from the disciples of the Murugi and the Balehalli Matts, and petition dated 17th July 1907, from the disciples of the Ujjini Matt, praying that neither the Old nor the New Sirigere Matt should be permitted to use any insignia in the absence of a Royal Sanned.

(4) Correspondence ending with D.O.letter dated 15th February 1908, from the Deputy Commissioner, Chitaldrug, on the subject.

Order thereon:- No.

At Sirigere in the Chitaldrug Taluk

Taluk there are two Sadhu Lingayat Matts, viz., the Tharalabalu Doffa Matha, otherwise known as the Sirigere Old Matt, which appears to have come into existence about 60 or 70 years ago, and the Sirigere New Matt which was established about the year 1886.

2. Under a decree of the Judicial Assistant Commissioner, Chitaldrug District, passed in 1873 and confirmed in appeal by the Commissioner of the Nagar Division and the Judicial Commissioner of Mysore, the Old Matt has been in the enjoyment of the marginally noted 8 insignia.

* 1. Palaki
2 Mena
3. Kempuchatra
4. Kahale
5 Chamara
6 Aftagiri
7. Gaggarakattige
8. Jettinamele Nagari

3. About the year 1885-6, some disciples of the Old Matt seceded from it and set up a Matt of their own which has come to be known as the Sirigere New Matt. The Swami of this New Matt was, in the beginning, permitted by the local authorities to go in procession on horse back attended by music. As the adherents of the New Matt increased in numbers, they obtained for their Matt, from time to time, permission to parade with certain insignia which the local authorities considered as unobjectionable, and the records show that by the end of 1838 the New Matt had acquired, in spite of the opposition of the Old Matt, the use of the marginally noted four insignia. In 1902 the Guru of the New Matt applied

* 1 Mena
2 Kempuchatra
3 Kahale
4 Bajabajantri.

to the Deputy Commissioner for a license to go in procession with all the eight insignia that were being enjoyed by the Old Matt, on the ground that they were all ordinary ones that could be used by any person. The Deputy Commissioner, Mr. H. Ramanujiengar, in his first order, dated 29th September 1905, permitted the Swami of the New Matt to go in procession with only the four ~~in~~ insignia which he had been already allowed to use; but subsequently, on the representation of the Old Matt, held a fresh enquiry and cancelled his previous order and directed the Swami of the New Matt to establish his right to the insignia in a Civil Court. Against this order, the Swami of the New Matt has appealed to Government. He prays that the second order of the Deputy Commissioner may be set aside and that he may be allowed to use all the 8 insignia claimed by him, on the ground that they ~~were~~ are, as admitted by the Old Matt itself in 1873, ordinary ones that could be used even by private persons on festive occasions.

4. The Sirigere Old Matt opposes the above prayer on the ground that the insignia in question are exclusive to itself, that it is the sole religious head of the Sadhu Lingayat community, that the New Matt is of very recent origin being a seceder from the Old Matt and that it has no mamool to

~~decide disputes~~ questions relating to

support its claim.

5. The Murugi, Balehalli and Ujjini Matts contend, on the other hand, that neither of the Sadhu Lingayat Matts belong to any of the recognised religious institutions of the Lingayat community, that they both are of recent origin, that they do not possess any Royal grant or sanad and are therefore not entitled to parad with insignia.

6. The case was heard before Government, all the parties being duly represented by their Advocates.

7. First as regards the claim of the Sirigere New Matt. It is observed that this Matt had enjoyed the use of the 4 insignia, viz,Mena, Kempu chatri, Kahale and Bajabajantri since 1888 and that such enjoyment was considered by the local authorities as unobjectionable. There is nothing to show that the Old Matt is the sole religious head of the Sadhu Lingayat community. From the statements furnished by the Dy. Commrs. of Kadur, Shimoga and Chitaldrug, it is ~~also~~ further observed that the New Matt is also administering to the religious wants of a section of the community.Under these circumstances, Government are of opinion that the second order of the Deputy Commissioner, dated 21-2-06, referring the New Matt to a Civil Court, was ~~held to be just but expedient~~ not proper — That order

(Decree corrected)

will therefore be set aside and the present enjoyment of the 4 insignia by the Swami of the New Matt will b left undisturbed.

8. As regards the obj ctions raised by the Murugi, Balehalli and Ujjini Matts. Although His ~~late~~ the late Highness, Maharaja Sri Krishnaraja Wodeyar Bahad r III discountenanced th establishment of schismatic matts by the Sadars and Nonabers and th executive authorities during the Commission days also refused to grant any insi nia to the Sirigere Old Matt, yet that Matt appears to ha e ~~some how~~ unauthorizedly used certain insignia and later on got its right to use them decre d by a Civil Court in 1873, such decree being also confirm d by the highest court, viz, that of the Judicial Commissioner in 1874. Since then the Matt has been enjoying the ~~marginally noted~~ 8 insignia mentioned in para 2 above, without any challenge. Alt ough, therefore, the Matt does not possess any r yal grant or sannad, yet Government do not see sufficient reason ~~now~~ to deprive it nor of any of these 8 insi nia w ich it has been enjoyin or a lon time. They th refor direct that it may ~~continue~~ be permitted to use them undisturbed.

9. In this connection Govern nt deem it necessary to make a fe observations on the part of District Officers ref rring ~~parties to~~

(£)

insignia to be used by heads of Matts and religious institutions for decision by Civil Courts. Government think that the Civil Courts are not the proper authorities for dealing with questions of this kind. It is the decisions of the Civil Courts that have been a fruitful source of disputes between contending factions in regard to the use of these insignia. The practice seems to have crept in during the days of the British Commission, as there is ample evidence on record to show that these matters previously used to go up for decision before H. H. the Maharaja or the executive authorities only. Government are therefore pleased to lay down that on questions relating to the use of insignia parties be not referred to Civil Courts, but that all such questions be submitted to Govt. for orders and that the orders passed by Government be strictly enforced.

C. to Cons

For Secretary.

To The Dy. Commr. Chitaldrug, with the enclosures received with his letter No. dated .

The D. C's of other Districts,
The Registrar of the Chief Court,
The Muzrai Superintendent,

for information.

No. 1232 B/18.9.1908

ಬೆಂಗಳೂರು ಕಂಟೋನ್ಮೆಂಟ್ ಪ್ರದೇಶದಲ್ಲಿ ಕಟ್ಟಡಗಳ ನಿರ್ಮಾಣ
ಮತ್ತು ಪುನರ್ನಿರ್ಮಾಣ ಕುರಿತು ನಿಯಮಗಳನ್ನು
ಜಾರಿಗೊಳಿಸುವ ಸಲುವಾಗಿ -

ಈ ಮುಂದಿನ ಕಾರಣಗಳಿಂದ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಕಂಟೋನ್ಮೆಂಟ್
ಪ್ರದೇಶದಲ್ಲಿ ಕಟ್ಟಡಗಳ ನಿರ್ಮಾಣ ಮತ್ತು ಪುನರ್ನಿರ್ಮಾಣವನ್ನು
ನಿಯಂತ್ರಿಸುವುದು ಅವಶ್ಯವೆಂದು ಭಾವಿಸಿದೆ ಮತ್ತು
ಸಾರ್ವಜನಿಕರಲ್ಲಿ ಅಥವಾ ಸೈನ್ಯದವರಲ್ಲಿ ಅಥವಾ ಅವರ
ಸೊತ್ತು ಮಾಲುಗಳಲ್ಲಿ ಬೆಂಕಿ ಅನಾಹುತಗಳನ್ನು ತಡೆಗಟ್ಟಲು
ಅಥವಾ ಸೀಮಿತಗೊಳಿಸಲು ಶೀಘ್ರ ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳಲು
ಸಾಧ್ಯವಾಗುವಂತೆ ಮಾಡಲು ಅಥವಾ ಅಂಥ ಅನಾಹುತಗಳ
ಸಂದರ್ಭದಲ್ಲಿ ಅಗ್ನಿಶಾಮಕ ದಳದವರಿಗೆ ಅಥವಾ ಅವರ
ಸಹಾಯಕ್ಕೆ ಬರುವ ಇತರರಿಗೆ ಅನುಕೂಲವಾಗುವಂತೆ
ಮಾಡಲು ಅಥವಾ ಅಂಥ ಅನಾಹುತಗಳ ಸಂದರ್ಭದಲ್ಲಿ
ಸಾರ್ವಜನಿಕರಿಗೆ ಅಥವಾ ಸೈನ್ಯದವರಿಗೆ ಅಥವಾ ಅವರ
ಸೊತ್ತು ಮಾಲುಗಳಿಗೆ ಹಾನಿಯಾಗದಂತೆ ತಡೆಯಲು
ಅಥವಾ ಅಂಥ ಹಾನಿಯನ್ನು ಸೀಮಿತಗೊಳಿಸಲು
ಕೈಗೊಳ್ಳಬೇಕಾದ ಕ್ರಮಗಳಿಗೆ ಅನುಕೂಲವಾಗುವಂತೆ
ಮಾಡಲು ಅಥವಾ ಅಂಥ ಅನಾಹುತಗಳ ಸಂದರ್ಭದಲ್ಲಿ
ಸಾರ್ವಜನಿಕರಿಗೆ ಅಥವಾ ಸೈನ್ಯದವರಿಗೆ ಅಥವಾ ಅವರ
ಸೊತ್ತು ಮಾಲುಗಳಿಗೆ ಹಾನಿಯಾಗದಂತೆ ತಡೆಯಲು
ಅಥವಾ ಅಂಥ ಹಾನಿಯನ್ನು ಸೀಮಿತಗೊಳಿಸಲು
ಕೈಗೊಳ್ಳಬೇಕಾದ ಕ್ರಮಗಳಿಗೆ ಅನುಕೂಲವಾಗುವಂತೆ
ಮಾಡಲು ಅಥವಾ ಅಂಥ ಅನಾಹುತಗಳ ಸಂದರ್ಭದಲ್ಲಿ
ಸಾರ್ವಜನಿಕರಿಗೆ ಅಥವಾ ಸೈನ್ಯದವರಿಗೆ ಅಥವಾ ಅವರ
ಸೊತ್ತು ಮಾಲುಗಳಿಗೆ ಹಾನಿಯಾಗದಂತೆ ತಡೆಯಲು
ಅಥವಾ ಅಂಥ ಹಾನಿಯನ್ನು ಸೀಮಿತಗೊಳಿಸಲು
ಕೈಗೊಳ್ಳಬೇಕಾದ ಕ್ರಮಗಳಿಗೆ ಅನುಕೂಲವಾಗುವಂತೆ

ಬೆಂಗಳೂರು ಕಂಟೋನ್ಮೆಂಟ್ ಕಟ್ಟಡಗಳ ನಿರ್ಮಾಣ ಮತ್ತು
ಪುನರ್ನಿರ್ಮಾಣ ನಿಯಮಗಳು:-

No. 1233.

Copy to D.C. Chitaldrug with the intimation that a separate G.O. in the matter will go to him.

By Order,

18.9.08

for Secretary

Proceedings of the Government of His Highness the Maharaja of Mysore,

READ—

Petition Registered No. 3322, dated 8th January 1907, from Gurusiddeswaraswami of the Sirigere New Matt, appealing against the order of the Deputy Commissioner of the Chitaldrug District, dated 21st February 1906, declining to grant a license to the Swami to go in procession with certain insignia, until he established his right to them in a Civil Court.

Petition Registered No. 4257, dated 16th March 1907, from Sivalingappa, Agent of the Sirigere Old Matt, opposing the above application of the New Matt.

Petition Registered No. 5142, dated 13th May 1907, from the disciples of the Murugi and the Balehalli Matts, and petition dated 17th July 1907, from the disciples of the Ujjini Matt, praying that neither the Old nor the New Sirigere Matt should be permitted to use any insignia in the absence of a Royal Sannad.

Correspondence ending with D. O. letter dated 15th February 1908, from the Deputy Commissioner, Chitaldrug, on the subject.

No 101-10—Muz. 68-08-2, dated Bangalore, 29th October 1908.

ORDER THEREON.—At Sirigere in the Chitaldrug Taluk, there are two Sadhu Lingayet Matts, *viz.*, the Tharalabalu Dodda Matt, otherwise known as the Sirigere Old Matt, which appears to have come into existence about 60 or 70 years ago, and the Sirigere New Matt which was established about the year 1886.

2. Under a decree of a Judicial Assistant Commissioner, Chitaldrug District, passed in 1873 and confirmed in appeal by the Commissioner of the Nagar Division and the Judicial Commissioner of Mysore, the Old Matt has been in the enjoyment of the marginally noted eight insignia.

1. Palaki
2 Mena
3 Kempu Chatri
4 Kahale
5. Ghamara
6 Aftagiri
7 Gaggarakattige
8. Nethimanele Nagari

3. About the year 1885-86, some disciples of the Old Matt seceded from it and set up a Matt of their own which has come to be known as the Sirigere New Matt. The Swami of this New Matt was, in the beginning, permitted by the local authorities to go in procession on horse back attended by music. As the adherents of the New Matt increased in numbers, they obtained for their Matt, from time to time, permission to parade with certain insignia which the local authorities considered as unobjectionable, and the records show that by the end of 1888 the New Matt had acquired in spite of the opposition of the Old Matt, the use of the marginally noted four insignia. In 1905 the Guru of the New Matt applied to the Deputy Commissioner for a license to go in procession with all the eight insignia that were being enjoyed by the Old Matt, on the ground that they were all ordinary ones that could be used by any person. The Deputy Commissioner, Mr. H. Ramanujaiengar, in his first order dated 29th September 1905, permitted the Swami of the New Matt to go in procession with only the four insignia which he had been already allowed to use but subsequently, on the representation of the Old Matt, held a fresh enquiry and cancelled his previous order and directed the Swami of the New Matt to establish his right to the insignia in a Civil Court. Against this order, the Swami of the New Matt has appealed to Government. He prays that the second order of the Deputy Commissioner may be set aside and that he may be allowed to use all the eight insignia claimed by him, on the ground that they are as admitted by the Old Matt itself in 1873, ordinary ones that could be used even by private persons on festive occasions.

Mena
Kempu Chatri
Kahale
Bajabajantri

4. The Sirigere Old Matt opposes the above prayer on the ground that the insignia in question are exclusive to itself, that it is the sole religious head of the Sadhu Lingayet community, that the New Matt is of very recent origin being a seceder from the Old Matt and that it has no manual to support its claim.

5. The Murugi, Balehalli and Ujjini Matts contend, on the other hand, that neither of the Sadhu Lingayet Matts belong to any of the recognised religious institutions of the Lingayet community, that they both are of recent origin, that they do not possess any Royal grant or Sannad and are therefore not entitled to parade with insignia.

Muzrai, dated 29th October 1908.

6. The case was heard before Government, all the parties being duly represented by their Advocates.

7. First as regards the claim of the Sirigere New Matt :—It is observed that this Matt had enjoyed the use of the four insignia, *viz.*, Mona, Kempu Chatri, Kahale and Bajabajantri since 1888 and that such enjoyment was considered by the local authorities as unobjectionable. There is nothing to show that the Old Matt is the sole religious head of the Sadhu Lingayet community. From the statements furnished by the Deputy Commissioners of Kadur, Shimoga and Chitaldrug, it is further observed that the New Matt is also administering to the religious wants of a section of the community. Under these circumstances, Government are of opinion that the second order of the Deputy Commissioner, dated 21st February 1906, referring the new matt to a Civil Court, was not proper. That order will therefore be set aside and the present enjoyment of the four insignia by the Swami of the New Matt will be left undisturbed.

8. As regards the objections raised by the Murugi, Balehalli and Ujjini Matts :—Although His Highness the late Maharaja Sri Krishnaraja Wadiyar Bahadur III discountenanced the establishment of schismatic Matts by the Sadars and Nonabars and the executive authorities during the commission days also refused to grant any insignia to the Sirigere Old Matt yet that Matt appears to have unauthorizedly used certain insignia and later on got its right to use them decreed by a Civil Court in 1873, such decree being also confirmed by the highest Court, *viz.*, that of the Judicial Commissioner in 1874. Since then the Matt has been enjoying the eight insignia mentioned in para 2 above, without any challenge. Although, therefore, the Matt does not possess any Royal grant or Sannad, yet Government do not see sufficient reason to deprive it now of any of these eight insignia which it has been enjoying for a long time. They therefore direct that it may be permitted to use them undisturbed

9. In this connection Government deem it necessary to make a few observations regarding the practice on the part of the District Officers of referring questions relating to the insignia to be used by heads of Matts and religious institutions for decision by Civil Courts. Government think that the Civil Courts are not the proper authorities for dealing with questions of this kind. It is the decisions of the Civil Courts that have been a fruitful source of disputes between contending factions in regard to the use of these insignia. The practice seems to have crept in during the days of the British Commission, as there is ample evidence on record to show that these matters previously used to go up for decision before His Highness the Maharaja or the executive authorities only. Government are therefore pleased to lay down that on questions relating to the use of insignia, parties be not referred to Civil Courts, but that all such questions be submitted to Government for orders and that the orders passed by Government be strictly enforced.

24. 11. 08

Secy. to Govt., Gen. & Rev. Depts.

To—The Deputy Commissioner, Chitaldrug District, with the enclosures received with his letter No 418, dated 7th March 1907.

The Deputy Commissioners of other Districts.

The Registrar of the Chief Court

The Muzrai Superintendent in Mysore.

Encl—C. R.

1908-09

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

MUZRAI

PROCEEDINGS

Dated 29th October 1908

No.. 101-10
Muz. 68-0

Passing orders with certain observations, on the claim of the Guru of the Kempagere New Matt in the Chitaldrug Talu to the use of certain insignia by him.

GPB—20, 1 08—825